This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

+ *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.

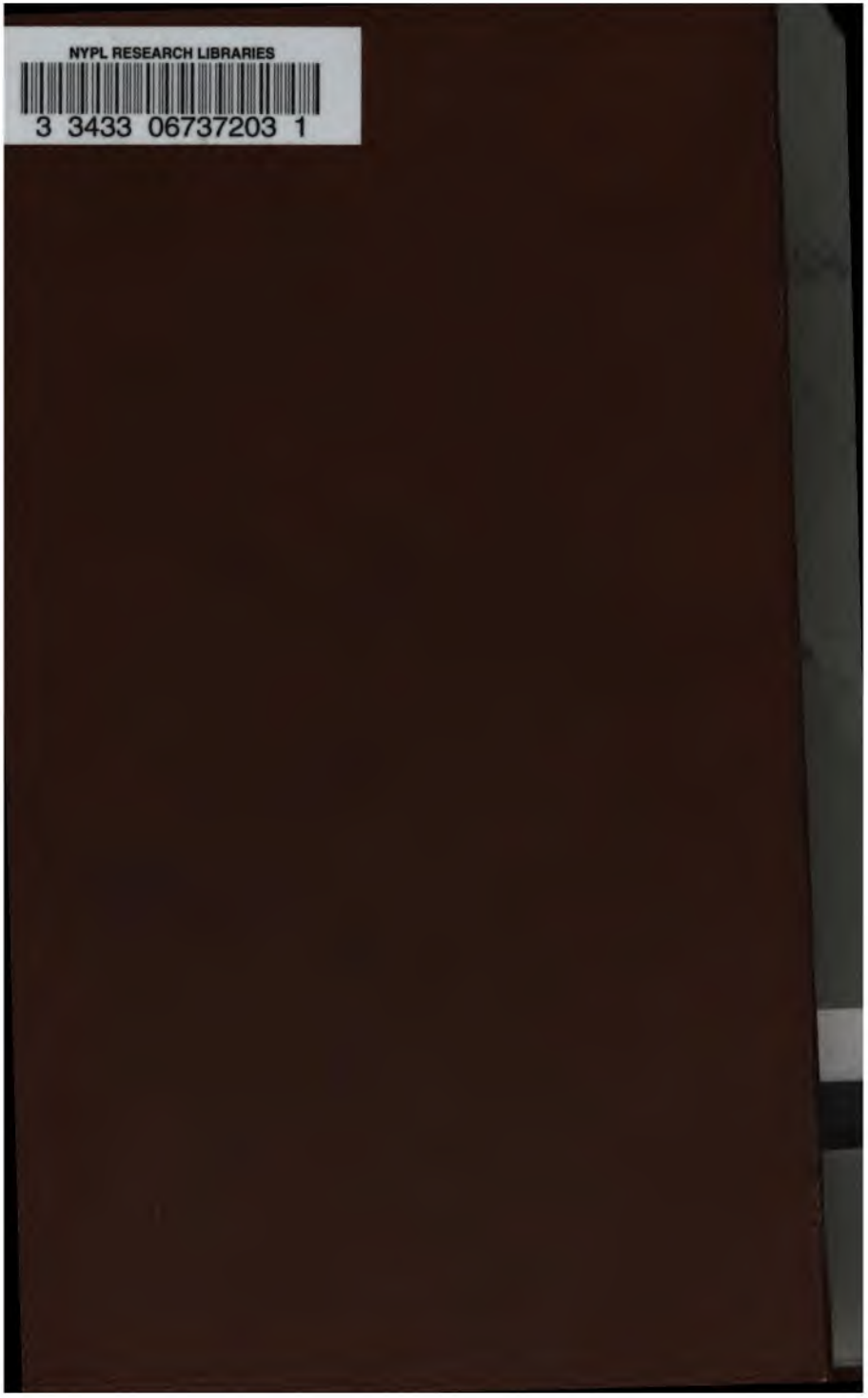
+ *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.

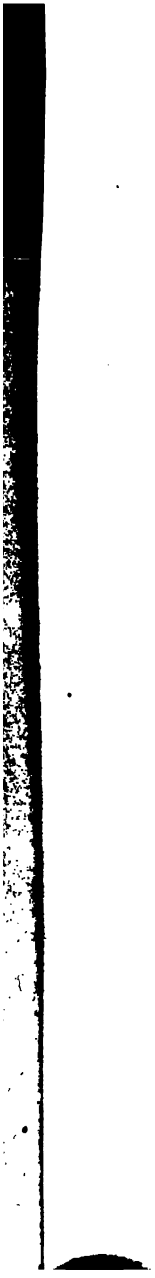
+ *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.

+ *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at `http://books.google.com/`


NYPL RESEARCH LIBRARIES
3 3433 06737203 1



Miſcellanea Aulica:

OR, A

COLLECTION

OF

State-Treatiſes,

Never before publiſh'd.

CONTAINING,

Letters by K. *Charles* and K. *James* II. in their Exile.

—from the E. of *Arlington* to Sir *Bern. Gaſcoign*, about the intended Match of the D. of *York* with the Archdutches of *Inſpruck*.

—from the E. of *Arlington* to the Dukes of *Ormond* and *Buckingham*.

—by the famous *A. Cowley*.

A Deſcription of *Germany*, its Government, *&c.* by Sir *B. Gaſcoign*.

The ancient Method and Cuſtom of *Duels* before the King.

An Account of the State of Affairs in *Scotland Jan.* 1661. By the E. of *Middleton*.

An Eſſay upon the Diſorders of *Scotland*.

A Diſcourſe upon the Union of *England* and *Scotland*.

The Grievances of *Scotland* in Relation to their Trade.

A Propoſal for an Union between *England* and *Ireland*.

The L. *Lauderdale*'s Charge againſt the E. of *Middleton*.

The E. of *Middleton*'s Anſwer.

The King's *Property* in the *Sea Lands* and *Salt Shoars*.

The King's *Prerogative* in making *Wars* and *Alliances*.

A Treatiſe of *Leagues* and *Alliances*, and the Nature of their Obligation.

Faithfully Collected from their Originals, by Mr. T. Brown.

Ipſâ varietate tentamus efficere, ut quædam nonnullis, quædam fortaſſe omnibus placeant, Plin. Epiſt.

LONDON,

Printed for *J. Hartley*, next Door to the King's-head Tavern; *Rob. Gibſon*, in *Middle Row*; and *Tho. Hodgſon*, over againſt *Gray*'s-Inn Gate, in *Holborn*. 1702.

NEW YORK
PUBLIC
LIBRARY

PREFACE.

BEFORE I proceed to give the Reader a particular Account of what he is to expect in the following Miſcellany, perhaps it may not be improper to obſerve what Collections of this nature have been already publiſhed among us; as likewiſe to ſhew wherein their reſpective Defects or Excellencies conſiſt.

The firſt Collection of *Engliſh State-Letters* that deſerves to be taken notice of, appear'd under the name of *Cabala*, and found ſo good a Reception as to run through *three ſeveral Impreſſions*. The moſt prejudiced Judges muſt own that it contains abundance of original Papers that are of infinite Value; but at the ſame time 'tis as certain that it is clog'd with a great deal of inſignificant Traſh and Rubbiſh; and that the Reader muſt often expect to do a long and weariſome Penance for ſeveral Pages together, before he finds any thing to reward him for his Pains: Beſides, the Collector of them, whoever he was, took a very indiſcreet Method, in my Opinion, to range his Letters ac-

cording to the Alphabetical Order of the Perſons Names that writ them, and not the Series of the Years in which they were written; For can any thing be more prepoſterous than what we find in the firſt Leaf of this Volume, *viz.* a Letter from Queen *Ann* of *Boleyn* to King *Henry* VIII immediately follow'd by one from Sir *Walter Aſton* to the Duke of *Buckingham*, and thus to fall a whole Century at once?

I ſpeak not this with the leaſt Intention to diſparage the *Cabala*, which after all is a very valuable and uſeful Collection; but having ſo fair an opportunity to give my impartial Opinion of it, I hope it will not be taken amiſs if I have ſhewn wherein 'tis faulty. Next to the *Cabala*, the two Volumes of Sir *Will. Temple*'s Letters publiſhed by Mr. *Swift*, and particularly the two Volumes of State-Letters by my Lord *Arlington*, and a third by Sir *Will. Temple*, lately printed for Mr. *Bennet*, juſtly deſerve to be mentioned. Theſe laſt Letters are not only very judiciouſly ſelected, and faithfully decipher'd, but afford noble Materials for any one that ſhall hereafter attempt to write the Hiſtory of thoſe Times they give a Relation of. Neither are they only ſerviceable upon this Account, but I may ſafely affirm that they are the beſt and fitteſt Books to compoſe

poſe any young Gentleman's Library, who deſigns to qualifie himſelf for the Service of his King and Country; for they will not only teach him how to expreſs himſelf politely and eaſily upon any Occaſion, and give him the proper Language of Buſineſs; But what is more material give him a true taſt of the World, and lead him into the ſecret Springs of thoſe Affairs and Determinations, which the common Writers know little or nothing of; and therefore I cannot but wiſh, that all thoſe Gentlemen who have ſuch Collections by them, would no longer envy the publick the great Benefit it may reap from them; it being acknowledg'd on all Hands, that ſuch Letters written by Miniſters of State and other great Men, give us the beſt inſight into all Intriegues then on foot; as for inſtance, the Affairs of the *Roman* Republick are better learnt out of *Tully's* private Letters to his Friends, than out of *Plutarch*, *Dion Caſſius*, or any other Hiſtorians.

As for that Collection of Letters, which has lately come abroad under Sir *Richard Fanſhaw's* Name, beſides that it comprehends the Occurrences only of one Year, and conſequently can furniſh no great Variety of Entertainment, the Publiſher of them, either out of Overſight or Forget-

fulneſs, or perhaps out of a Deſign to ſwell the Bulk of his Volume, has been pleaſed to inſert one and thirty Letters that had been printed before among thoſe of my Lord *Arlington*, and what is more ſurprizing, a duplicate of one and the ſame Letter: So that I don't wonder, that the Lady, who was moſt nearly concern'd in them, has ſince expreſt her juſt Reſentment of the faulty ordering of them in a publick Advertiſement.

To return now to the preſent Miſcellany, conſiſting partly of State-Letters, and partly of ſeparate Treatiſes upon various Subjects, I can aſſure my Reader that they never ſaw the Light before; and are faithfully printed from the reſpective Originals, as any one may fully ſatisfie himſelf that has a mind to have a Sight of them at the Bookſellers. It may not perhaps look ſo well in me, who am the Publiſher of them, to ſay any thing in their Favour; however, I will in a few Words inform the Reader what they contain, and leave him to paſs his Cenſure upon them as he finds Occaſion.

The firſt Diſcourſe, which gives an Account of *Germany*, the manner of Aſſembling their Diets, the Election of the King of the *Romans*, the ſeveral Fiefs belonging to the Empire, *&c.* was written by Sir *Bernard Gaſcoign*. in the Year 1672, and

ſent

ſent by way of Letter to King *Charles* II. by whom he was then employ'd in the Character of an Envoy at the Imperial Court of *Vienna*. The Stile, I confeſs, is ſomewhat obſcure and harſh, which ought to be pardon'd in a Foreigner, as Sir *Bernard Gaſcoign*, who was a *Florentine* by Birth; but the Importance and Faithfulneſs of the Relation will, I hope, make ſufficient Compenſation for the Defects of the Language, and certainly cannot be unwelcome at this Conjuncture, when *England* has ſo viſible an Intereſt in the Affairs of *Germany*. My Lord *Arlington's* Letters follow this Diſcourſe, being addreſs'd to Sir *Bernard*, who was then negotiating the Marriage of the Duke of *York* with the Archdutcheſs of *Inſpruck*.

As for King *Charles's* Letters, written by him in his Exile, tho' indeed they contain no mighty Myſteries of State, yet ſince *Suetonius* has thought it worth his while to inform Poſterity that *Auguſtus* uſed *Batteolus* for a Fool, *Pulleiaceus* for a Colt, *vapidè ſe habere*, inſtead of *malè*, *ſimus* for *ſumus*, *domos* in the Genitive Singular for *domus*, with abundance of other minute Circumſtances of the ſame Conſequence; certainly no Engliſh Reader can blame me for preſen-

Thus in the K's Letters we find he uſes the words Babion *and* Neſtetic *in a ſenſe peculiar to himſelf.*

ting him with the genuine Remains of that Prince who had the Honour of reſtoring our Government in Church and State: However, if they diſcover no *Arcanas* of State, yet the Reader will find by them that this injur'd Prince ſupported his Exile with more Eaſe and Serenity of Mind than the ſucceſsful Uſurper found at Home in the midſt of all his Triumphs and Victories. I need not ſay any thing of the famous Mr. *Cowley*'s Letters then Secretary to the Earl of St. *Albans*, in *Paris*, ſince the beſt Maſter of our Engliſh Eloquence, who knew him better than any one, has already obſerv'd in his Life how much he excell'd in this way of Writing. I will only remark *en paſſant* that they give a ſhort Account of K. *Charles* II.'s Affairs before he went to be crown'd in *Scotland* in the year 1650, and what Opinion the Cavaliers beyond Sea had of that unlucky Expedition.

The next Treatiſe, which by the Antiquity of its Diction ſeems to be as old as the Reign of Queen *Elizabeth*, if 'tis not of an earlier Date, gives a particular Account of the ancient Ceremonies and Rites of *Duels*, which were introduced into theſe Parts of the World by the Northern Nations, and made up one part of their famous *Ordeal*. The learned Sir *R. Cotton* in his *Poſthuma* has left us a little Tract

about

about the Lawfulneſs of them, and indeed our Hiſtories are full of ſuch Preſidents, particularly the famous one between the Duke of *Norfolk* and Duke of *Hartford* in *Henry* IV. time, as any one knows that has read *Walſingham* and *Thomas* of *Woodſtock*. I ſhould exceed the Limits of a Preface ſhould I pretend to give the Reader a Detail of them ſince the Conqueſt; but it may not be amiſs to obſerve that the laſt Combat that was demanded was by *Rey* and *Ramſey* in the time of King *Charles* I. at which Trial Dr. *Duck* the King's Advocate * maintained that the Courſe of Appeals was warrantable by the Laws of other Nations as well as our own, that our Law admitted ſundry Proofs of Treaſon which in other Caſes it did not, and that two ancient *Civilians*, *Hieronymus* and *Tiberius*, give their Reaſons for this ſort of Trial.

* *See* Sanderſon's *Hiſtory of* K. C. I. *p.* 164.

The Papers that follow next in order relate to the Affairs of *Scotland* and *Ireland*, their Grievances in reſpect to Trade, the Advantages of an Union with *England*, &c. all which were either immediately addreſs'd to King *Charles* II. or to the Secretaries of State. I flatter my ſelf that I have done my Country no ill piece of Service in publiſhing them, ſince it ſo highly concerns us

on

on this preſent Conjuncture that none of his Majeſty's Subjects ſhould be tempted to open a back Door for the common Enemy. If the Grievances they complain of are juſt and reaſonable, I don't ſee why they ſhould not be ſpeedily redreſs'd; and this may beſt be effected, as a modern Author obſerves, by an amicable Conference betwixt Commiſſioners choſen by the Parliaments of the three Nations authorized for that end by his Majeſty, to remove ſuch Miſunderſtandings as have already crept in, and to prevent the like for the future.

Theſe occaſional Papers are follow'd by a learned Treatiſe maintaining the King's Propriety in Salt Shores, the Author whereof ſeems to have been very well vers'd both in the Civil and Common Law. The Manuſcripts out of which I printed it gave me no little Trouble, it having been tranſcribed by an injudicious Hand that knew little Engliſh and leſs Latin; particularly the Quotations out of *Bracton* were ſo monſtrouſly corrupted, that I was obliged to have recourſe to the Works of that eminent Lawyer to ſet them right. It was written, as appears by a Paſſage in the firſt Paragraph, in the Reign of Queen *Elizabeth*.

After this come two Diſcourſes, the latter of which treats of the nature of Leagues

and

and Alliances in general, being written in the Year 1672, as any one may ſee that will attentively read over the 8th Article; and the other aſſerts the Royal Prerogative in making Wars and Alliances. The former of theſe Subjects has been learnedly handled by Sir *R. Cotton*, and out of him, but ſet off with a mighty pomp of Quotations, by Dr. *D*—. Not to launch out into this Controverſy, I am of Opinion that our Author is in the right, who lodges this Prerogative wholly in the Crown, as was own'd by the Parliament in the Reign of King *Charles* I. in the following Words, That *to the Royal Authority alone it belonged to reſolve on War or Peace.* If the School Maxim that *Contrariorum eadem eſt ratio* holds good, 'tis a plain Caſe that our Princes are inveſted with the Power of declaring War, ſince no body as I know of ever queſtion'd their Authority of making Peace; tho' ſince the Sinews of War come from the Lower Houſe, 'tis undoubtedly the King's Intereſt not to involve himſelf in a War, without feeling the Pulſe of his People beforehand, from whom he muſt expect the Supplies to ſupport and carry it on.

My Lord *Arlington*'s Letters to the Dukes of *Ormond* and *Buckingham* bring up the Rear, in which the Reader will find

find a Satisfactory Account of the Settlement of *Ireland* upon his Majeſty's (K. *Charles* II.) happy Reſtauration, together with other memorable Occurrences; as for Example, the famous Inſurrection in the North in the Year 1663. But before I conclude this Paragraph, I muſt do that Juſtice to my Lord *Arlington*'s Memory, as to affirm that his Letters are incomparable in their kind, being written with all the Purity of a polite Courtier, and all the good Senſe of a profound Stateſman.

Thus I have given the Reader a ſhort Account of what the following Collection affords. I will only add, that tho' all imaginable Care has been taken to ſee them correctly printed off, yet ſeveral Errata's have eſcaped the Preſs: However, they are neither ſo numerous nor difficult to be diſcover'd, that the judicious and learned Reader (for whom this Miſcellany was principally intended) is in Danger of being betray'd into any Miſtakes by them.

T. Brown.

THE

THE CONTENTS.

I.

A *Deſcription of* Germany, *Its Government, Manner of Aſſembling Diets, Ceremony of Electing and Crowning the King of the* Romans: *As alſo an Account of their Imperial Majeſty's Houſhold, together with the Genealogy of all the conſiderable Princes of the Empire. By Sir* Bernard Gaſcoign, *ſent by him to King* Charles II. *in the Year* 1672, *when he was Envoy at* Vienna. Pag. 1

II.

Letters from my Lord Arlington *to Sir* Bernard Gaſcoign, *then Reſident at the Imperial Court at* Vienna, *wherein the whole Affair of the intended Marriage of the young Archdutches of* Inſpruck *with the Duke of* York *is laid open and diſcover'd.* p.65

III.

Letters from his Majeſty King Charles II. *and the Duke of* York *in their Exile, to* Henry Bennet,

Bennet, *then Secretary to his Royal Highneſs, and afterwards Earl of* Arlington. p. 108

IV.

Letters by the famous Abraham Cowley, *then Secretary to the Lord* Jermyn, *during King* Charles II. *Exile; written from* Paris *to Mr.* Henry Bennet, *afterwards Lord* Arlington. p. 130

V.

A brief Enquiry into Leagues and Alliances made betwixt Princes and Nations, and the Nature of their Obligation. p. (163)

VI.

The ancient Method and Uſage of Duels before the King: Out of an old Manuſcript of Elias Aſhmole *Eſq;.* p. 161

VII.

A ſhort Narration of the State of Affairs in Scotland, *as they ſtood at the downſitting of the Parliament,* Jan. 1661. *And as they are now at the diſſolving of the ſecond Seſſion of that Parliament. Sent by the Earl of* Middleton, *Lord Commiſſioner of that Kingdom, to King* Charles II. p. 173

VIII.

An Eſſay upon the Diſorders of Scotland. p. 187

IX. A

IX.

A Diſcourſe upon the Union of England *and* Scotland, *addreſs'd to King* Charles II. March *19th in the Year* 1664. p. 192

X.

The Grievances of Scotland, *in Relation to their Trade with* England, *ſent up to the Council* 3. Feb. 1668. p. 199

XI.

A Propoſal of ſeveral Officers, and other Gentlemen of Engliſh Extraction in Ireland, *for an Union of that Kingdom with* England. p. 203

XII.

My Lord Lauderdal's *Charge, then Secretary of* Scotland, *againſt the Earl of* Middleton, *Lord Commiſſioner of that Kingdom.* p. 206

XIII.

The Earl of Middleton's *Anſwer.* p. 217

XIV.

The King's Propriety in the Sea Lands, and Salt Shoars, written in the Reign of Queen Elizabeth. p. 237

XV.

The Contents.

XV.

The great Queſtion reſolv'd, whether a King of England *can make Wars and Alliances, without notifying it before to his two Houſes of Parliament. Addreſs'd in a Letter to a Miniſter of State in the Year* 1673, *when the Marriage with* Modena *was on foot.* p. 259

XVI.

Letters of State from Sir Henry Bennet, *Secretary of State, afterwards Lord* Arlington, *to his Grace the Duke of* Ormond, *Lord Lieutenant of* Ireland; *wherein all Tranſactions relating to both Kingdoms, from the Year* 1662 *to* 1666 *are to be found. As likewiſe to his Grace the Duke of* Buckingham, *about the Inſurrection in the North, in the Year* 1663. p. 279

A DESCRIP-

A

DESCRIPTION

OF

GERMANY:

Its Government, Manner of Aſſembling Diets, Ceremony of Electing and Crowning the King of the *Romans*: As alſo an Account of their preſent Imperial Majeſties Houſhold, together with the Genealogy of all the conſiderable Princes of the Empire.

By Sir BERNARD GASCOYN,

Sent by him to King *Charles* II. in the year 1672, when he was Envoy at *Vienna*.

May it pleaſe your Majeſty,

THE Honour your Majeſty was pleas'd to do me, in making Choice of me, amongſt ſo many of your Servants, to treat at the Imperial Court, about his Royal Highneſs's Match with the Archdutcheſs of *Inſpruck*; (which, by Misfortune rather than by any Negligence or Omiſſion, hath proved unſuc-

ceſsful;) has given me Opportunity enough, to make ſeveral Remarks, as well upon the Form of Government of the Empire in general, as of the Conſtitution of the Imperial Court, where I have reſided above a whole year. Therefore I thought it a Duty incumbent upon me, to preſent your Majeſty with a ſhort Account of theſe my Obſervations; that, beſide the ſatisfying of your Curioſity, they may give your Majeſty ſome Light towards adjuſting and taking your Meaſures, in theſe Times of ſo difficult and important Engagements.

Your Majeſty may, in the firſt place, pleaſe to obſerve, that, not to mention the Artifices of the Popes, who, if I may be allow'd the Expreſſion, have been careful to cut themſelves very large Thongs out of the Imperial Hide, the Electors, and Princes of the Empire, by inſenſible Incroachments from time to time, have ſo clipt our Weſtern *Cæſar*'s Authority, that, whereas the great Body of the Empire, when it was govern'd by one Head alone, was formerly very formidable to all its Neighbours, now being both in Eſſence and Authority divided, is by them all on divers ſides attack'd and wounded. But, although the *Roman* Empire be ſo much declin'd from its ancient Splendor and Greatneſs, that there is nothing elſe almoſt remaining but the bare Name and exterior Appearances of it: Yet nevertheleſs, at preſent, this Imperial Eagle extends the Wings of her Dominion into a good part of *Italy*, and all *Germany*; which is compos'd of divers puiſſant Members, that being joined together, would form an invincible Body, and give Laws to all the Univerſe. The Form of this Empire's Government is by its Origine Monarchical: But

the

the many Revolutions and Viciſſitudes that have befallen it, have reduc'd it to a ſort of an Ariſtocratical State; and particularly in *Germany*, where the Electors, and other Princes, have aſſum'd to themſelves ſovereign Authority, as hereafter will appear.

The Empire is divided into ten Circles, and in theſe are comprehended the Electors, Princes, Earls, Nobility, and the free Cities of *Germany*; which, enjoying the Title of States, at this preſent, govern their reſpective Diſtricts, under the auſpicious Reign of *Leopoldus Cæſar*; not to enumerate the Princes and Imperial Feudataries of *Italy*, who, by the Exemptions to them granted at the Inſtallments of their Eſtates and Feuds, remain immediately ſubject unto the Emperor's Perſon; but are not in the leaſt obliged to conform themſelves to any Laws or Statutes that are enacted in the Imperial Diets, nor to pay their Quota towards any of thoſe Taxes or Impoſitions that are rais'd by the ſeveral States of *Germany* in thoſe Aſſemblies; and indeed, 'tis but reaſonable, that as the aforeſaid *Italians* are depriv'd of very many Prerogatives enjoy'd by the *Germans*, by virtue of a voluntary, or at leaſt ſilent Reſignation of them, together with that of the Imperial Dignity, they ſhould be exempted from many Charges and Subjections, to which the other are obnoxious.

Among the abovementioned Circles, that of the *Lower Rhine*, otherwiſe called the *Electoral*, enjoyeth the Precedence; that is to ſay, the Archbiſhops of *Mentz*, *Triers* and *Colen*, and the Count Palatine of *Heidelbergh*.

The Circle of Upper *Saxony* containeth the State of the Elector of that Name; as likewiſe

(he of *Mentz* excepted) and other Princes are, upon any ſmall light Excuſes diſpenced from this Trouble, ſupplying their Abſence by ſending other Deputies and Miniſters to the Diet.

The Order which is kept, in the making the ſaid Propoſitions, is as followeth. Firſt, all this Body aſſembleth in a great Hall, and there the Emperor, aſſiſted on one ſide by the great Mareſhal, and on the other by the Vice-Chancellour of the Empire, takes the firſt place under an elevated and Majeſtical Throne; the Electors of *Mentz*, *Bavaria*, and *Saxony* ſit on the right Hand; and on the Left, thoſe of *Colen*, *Brandenburg*, and the *Palatine*; and in the middle, diametrically over againſt the Emperor, the Elector of *Triers*: At a little Diſtance there ſtand leaning on two ſmall Tables, different one from the other, the Directors of *Mentz* for the Electoral College, and thoſe of *Saltzburg*, or of *Auſtria* for the other Princes; and theſe ſet down in Writing all that is diſcours'd in that Aſſembly.

The King of *Bohemia*, though he enjoys the Prerogative of Elector, yet not being accounted into the Number among the States, abſtains from appearing at the Diets, and only comes to the Congreſs, where the Election of the King of the *Romans* is under Debate; wherein he takes the firſt place amongſt the Secular Electors; and, in caſe of Diſcrepancy of Votes, is the Arbitrator or Umpire.

Below the aforeſaid Electors, there are two Banks or Seats on both ſides of the Hall; one for the Eccleſiaſtick Princes, and the other for the Secular; on the firſt ſit the Archduke of *Auſtria*, the Duke of *Burgundy*, and the Archbiſhop of *Saltzburg*; who, in all the Seſſions, wherein the Diſcuſſion of new Matters is propos'd, alternately take, as well

well in Publick as Private, their Precedence in the College and Order of Voting: Now *Burgundy* being always annex'd to *Auſtria*, whenever it ſo falls out that *Saltzburg* is to give place to *Auſtria*, he ought to ſit under *Burgundy*. After theſe, follow the Archbiſhops of *Beſançon*, the great Maſter of the *Teutonick Order*, and the Biſhops of *Bamberg*, *Wormes*, *Wurtzburg*, *Archſtat*, *Strasburg*, *Conſtance*, *Auſpurg*, and *Hilderſheim*, *Paderborne*, *Ratisbone*, *Paſſaw*, *Trent*, *Baſil*, *Liege*, *Coire*, and *Munſter*; after them the Abbot of *Fulden*, the Superintendent of *Campiduno*, *Eluanghen*, *Berchtolsgaden*, *Brin*, *Stablo*, and *Corfey*; and at laſt the ordinary Abbots, that are not Princes of the *Swabian* Circle, and that of the *Rhine*.

All the aboveſaid Epiſcopal Churches are provided of their ſeveral Chapters, which have the *Jus eligendi*, but under a prefix'd time; which being expired, and the Canons not come to any final Agreement, the Court of *Rome* taketh it into Hand, and the elected is bound to receive his Confirmation from his Holineſs, and the Inſtallment from the Emperor: Almoſt all of them have Juriſdiction both in Spirituals and Temporals, and if not in the City it ſelf, at leaſt in the Dioceſs; and no Canons are qualified for the paſſive Voice, unleſs they can ſhew their Nobility for three or four Deſcents, both on Father's and Mother's ſide; yet the Statutes of the Metropolitan Chapter of *Colen*, require thoſe Proofs only of titular Houſes of Earls, and Princes of *Germany*: But ſuch as are admitted only to the active Voice, 'tis ſufficient if they are of ordinary Families, and Doctors of Law or Theology.

On the ſecond Bank or Seat, at preſent the Duke of *Bavaria* takes the firſt place, and then the

the Adminiſtrators of the former Archbiſhoprick of *Magdeburg*, who is Brother to the Elector of *Saxony*, and after his Death the Elector of *Brandenburg* will obtain this place in Quality of Duke of the ſame; then follow the Houſes Palatine of *Lantern*, *Simeren*, *Newburg*, the Dukedom of *Bremen* belonging to the Crown of *Sweden*, the Palatine Duke of *Znaybrugh*, and that of *Lantereck*; the Dukes of *Saxony*, *Altemburgh*, *Coburgh*, *Weimar*, *Gotha*, and *Eyſenach*; after them the two Marquiſſes of *Culmbach*, and *Onolzbach*, of the Electoral Houſe of *Brandenburgh*; the Dukes of *Brumſwick*, divided into four Votes, *Zell*, *Grubenhagen*, *Calemberg*, and *Wolfenbuttell*; the Principality of *Halberſtat*, appertaining to the Elector of *Brandenburg*; the Dukedom of *Wirtemburg*; the Principality of *Verden*, annex'd by the Treaty of *Munſter* to the Crown of *Sweden*, the two Marquiſſes of *Baden*, and *Durlack*, who likewiſe votes for his Principality of *Hochberg*; the two Landgraves of *Heſſe Caſſell*, and *Darmſtat*; the lower *Pomerania*, belonging to *Sweden*, and the upper to *Brandenburg*; the two Dukes of *Mecklenburg*, *Swerin*, and *Guſtrau*; all which Houſes, beginning from *Wirtenbergh*, alternately take Precedence in imitation of *Auſtria* and *Saltzburg*: Then follow the Duke of *Saxe-Lauenburgh*; the Principality of *Minden*, belonging to *Brandenburgh*; the Dukedom of *Holſtein*, under the King of *Denmark*; the Landgraveſhip of *Leuchtenberg*, poſſeſſed by *Bavaria*; the Duke of *Savoy*, the Prince of *Anhalt*; the Earldom of *Henneberg*, poſſeſſed by the Palatine of *Newburg*; the Principality of *Hirſfeldt*, given to *Heſſe Caſſel*; the Earl of *Mompelgard*, of the Houſe of the Dukes of *Wirtenberg*; the County of *Nomeney*, belonging

ging to the Duke of *Lorrain*; and the Princes of *Aremberg*, *Hoenzollern*, *Eggenberg*, *Lobcowitz*, *Averſpergh*, *Naſſaw Seighen*, and *Naſſaw Hadamar*, that of Eaſt *Frieſland*, and that of *Furſtenberg*.

The Order of this Bank is concluded and compleaed by the *Sucvian*, *Wetteravian*, *Franconian*, and *Weſtphalian* Circles; the Deputies of which change their Seſſion in the Form abovementioned: The preſent Biſhop of *Oſnabrug* being a Proteſtant, has a Seat by himſelf by the Biſhops ſide, and doth vote with them. 'Tis to be obſerv'd, that the Repreſentatives and Ambaſſadors of the aforenam'd Electors and Princes, do not take the proper place of their Maſters, in the perſonal Preſence of the other Electors and Princes; but give them the Precedence in the ſitting, though not in the voting, except the Deputies of *Saltzburg*, *Auſtria* and *Burgundy*, all which in the College of Princes do not ſtir for any body; the Elector of *Bavaria* pretending to do the ſame amongſt the Secular Princes, as being the firſt Duke.

As for the Deputies of the Free Cities, 'tis uſual with them at their opening of the Diets, to hear the Propoſitions ſtanding; but in their College they are divided into two Ranks; that is to ſay, into the *Rhine* Circle, which comprehends *Colen*, *Aquiſgrane*, *Strasburg*, *Lubeck*, *Wormes*, *Spires*, *Frankfort*, *Agenbau*, *Colmar*, *Schelſtat*, *Bremen*, *Milhauſen*, *Northauſen*, *Veiſſenburg*, *Landau*, *Oberenheim*, *Kaiſerberg*, *Munſter* of St. *Gregory*, *Rofheim*, *Turckeim*, *Fridberg*, *Weatlar*, *Gelnhauſen*, and *Hamburg*; and into the *Sucvian* Circle, in which are accounted the Cities following, *Ratisbona* or *Regenſburg*, *Auſburg*, *Narenberg*, *Ulm*, *Eſſling*, *Reutling*, *Nordling*, *Rotenburg*, *Hall*, *Uberling*,

Uberling, *Rotweil*, *Hailbrun*, *Gheminden*, *Memming*, *Lindau*, *Dunchels pull*, *Biberack*, *Ravenſberg*, *Vinſheim*, *Suainfurt*, *Kempten*, *Kaufbaieren*, *Vanghen*, *Inſy*, *Laitekerken*, *Wumpfen*, *Ghienghen*, and *Offenburg*, *Waitſemburgh*, *Zell*, *Aalen*, *Popſinghen*, *Puechora*, *Puechau*, *Breghenback*, and every one of them enjoyeth the Prerogative of a deciſive Vote.

Beſides the aforementioned Cities, there are ſeveral others in *Germany*; which, though they be not admitted into the College, nevertheleſs uſurp the ſame Liberties and Freedoms; as *Dantzick*, *Brandenburgh*, *Wiſmar*, *Roſtock*, *Gripſwaldt*, *Magdeburgh*, *Lipſick*, *Jena*, *Uratiſlavia*, or *Breſlaw*, and heretofore *Brunſwick*, and *Ertfort*, * lately ſubdu'd, all which were partly comprehended in the *Hanſiatick* League, and partly living under their own municipal Laws, acknowledge their Princes to be no more than their Protectors: All theſe Free Cities live under a popular Government, democratical or mixt, and only *Norimbergh* preſerves an Ariſtocracy; the forty chief Families of that City abſtaining from all ſorts of Mechanick or Liberal Arts whatſoever, and even avoiding the Title of Doctorſhip; yet notwithſtanding all this, they are eſteem'd much inferiour to the other Nobility, although of an inferiour Claſs; and this for their being ſubject to the Magiſtrate of the City, whoſe Juriſdiction in *Germany* extends it ſelf only to the Plebeans; and the Nobleman, who ſubmits himſelf to it, is *ipſo facto* degraded.

* *In the year* 1664

When this great number of Perſons is aſſembled in the aforeſaid Hall, and every one placed in his own particular Seat appointed for him; the Emperor opens the Diet with a paternal Admonition

to

to the States; and then the Vice-Chancellour from him propoſes to them thoſe Points which are to be diſcuſſed and decided: To which the aforenamed Directors anſwer with Reverence, promiſing to proceed, with the utmoſt Diligence and Zeal, in conſidering the ſeveral Matters that ſhall be laid before them; and the next day, making three Colleges in ſo many diſtinct Rooms, and having refreſhed their Spirits firſt, with ſome comfortable Liquors, that every morning are there prepared ready for them, they begin in the *Electoral* College to examine the propoſed Points, and the Elector of *Mentz*, as he gives his Vote laſt, ſo he is the firſt that ſpeaks; then the matter debated by the Advice of the ſaid College, is tranſmitted to that of the *Princes* by the Directors of *Mentz*; and there the Propoſition is made by one of the two Directors, either of *Auſtria*, or of *Saltzburg*, to which of them the alternative happens to belong; and ſo they vote interchangeably from one ſide to the other, amongſt the Eccleſiaſticks and Seculars, in order to avoid the Pretenſions of Precedence that the principal Seculars have with the greateſt part of the Eccleſiaſticks: The ſaid College of *Princes* endeavour to agree all Matters with the *Electoral*, to hinder the College of the *Cities* (before whom afterwards is brought whatever hath been concluded in the two ſuperiour Colleges) from interpoſing, by way of Umpire, as they muſt certainly do in caſe of Diſagreement, by Virtue of an Article inſerted into the laſt Peace of *Munſter*; by which the ſaid inferiour College is made capable of a deciſive Vote, whereas before it had no more than a conſultative one. Matters being thus concluded between the three Colleges, all the States come to the Hall, where they beſtow a ſecond Examination

nation upon them, and there they make a general Concluſion; which afterwards is preſented to his Imperial Majeſty for his Ratification.

If any Prince or State, ſhould deſire to have any private Buſineſs of their own propoſed, or to promote a publick one, or to lay open any Grievance; 'tis neceſſary they ſhould apply themſelves to the Directors of *Mentz*, ſoliciting them to refer the Matter to the College *Electoral*, and notify it to the others by way of Repreſentation, which is perform'd in the following manner. The aforeſaid Director gives the Petitions to be copied out by the Deputies Clarks, who for this purpoſe are aſſembled in a certain appointed place; and from them afterwards the Buſineſs is carried before the College of *Princes*, and then before that of the Free *Cities*, in which that City hath the Directory, where the Diet is kept.

'Tis in the Emperor's free Power to aſſemble the Convocation of the States, whenever he pleaſeth, and ſees any Neceſſity for it: But Paſſions, and Pretenſions, and private Intereſts are of late grown to ſo exorbitant a Head, that nothing at all, or very little to purpoſe is concluded in theſe Aſſemblies; as 'tis clearly ſeen, by the Management of the preſent Diet of *Ratisbone*, which after a long, and unpreſidented Seſſion of almoſt nine years, is now ready to break up, without coming any Concluſion: For, except two or three Electors, (who either for themſelves, or for others their Confederate Potentates, aſpire to the Imperial Diadem) all the reſt concurr'd in the limiting, or, to expreſs my ſelf more properly, in the annulling the Imperial Authority, by the Capitulation then under Debate; not perceiving, that by diminiſhing the Strength of the Head, they inſenſibly

ſibly weaken themſelves, and all the ſubordinate Members. Thus the Princes, being jealous of the Emperor's Greatneſs, and daily endeavouring to enlarge their own, croſs each other's Deſigns, and breed inextricable Confuſions, which, heightned by the Diverſity of Religions, that divide the Affections as well as Intereſts of the abovementioned Princes, end in mutual Diſtruſts of one another, and a general Diſunion; of which, the Inſidiators of the *German* Liberty, fail not to make their beſt Advantage.

Two Points were propoſed at the opening of the aforeſaid Diet of *Ratisbone*; a large Subſidy that his Imperial Majeſty then had Occaſion for, to ſtop the Progreſs of the *Ottoman* Forces; and the Accompliſhment of certain Matters preſcribed in the Contract of Peace, which were to ſettle the Manner of Electing the King of the *Romans*, by a firm and everlaſting Capitulation: The Form for declaring ſome Members of the Empire to have incurred the Imperial Ban: The Eſtabliſhment of the Pragmatick and Publick Security: The reducing the Aſſeſſments to the preſent State, and ſome others of the like nature.

Touching the firſt propoſed Points, although the States freely voted to contribute to the Emperor, for ſupporting the Expence of the War, the Triple of the Quota impoſed upon every Member in the Aſſeſſments; nevertheleſs, they clogg'd the Execution of it with ſo many Obſtacles, under Pretext of proceeding warily and cautiouſly, and exacted ſuch exceſſive Sums for the promiſed Succours; that the Emperor, to prevent the Damages that he evidently foreſaw by the *Ottoman* Army, was oblig'd to clap up a diſadvantagious Peace. On the other Point, they undertook at the ſame time,

to

to make a Draught of 47 Articles, to be inſerted into the everlaſting Capitulation. But the Diverſity of private Intereſts, and the mutual Jealouſies of the Secular Princes and Electors, as likewiſe of Catholicks and Proteſtants; who, by the Equality of Votes, and other exorbitant Pretenſions, evidently aſpir'd to open the Way toward the acquiring the Imperial Crown for one of their own Party, would not ſuffer them to agree upon any of the moſt difficult Points; but leave the Work imperfect. They brought indeed upon the Board the Matter of the Money or Coin, as a part of the Pragmatick, and after it, that of the Publick Security; but in both theſe Points, little or no Progreſs hath been made; for although ſome Deliberations have been taken upon regulating in part the value of the Coin, and although they conſented to the raiſing of 30 thouſand fighting Men, to be conſtantly maintain'd by the Circles, under the Command of the Marquiſs of *Baden Durlach*, for the Publick Security; yet they refus'd to come to any Concluſion, till the ſaid Capitulation, which was in a manner finiſhed, were firſt eſtabliſhed: But this was vigorouſly oppoſed by the Electors of *Colen*, *Bavaria*, *Brandenburg*, and the *Palatine*, for their own Ends. Whereupon it may juſtly be ſaid, that nothing but the Apprehenſion, which the great Marches of his Moſt Chriſtian Majeſty's Army gave them, has hindered the ſaid Diet from precipitating it ſelf to an unworthy breaking up in Diſorder and Confuſion; which would have reflected but ſcurvily upon their Politicks, after they had ſat ſo long, and taken ſo much Pains. However, we ought to hope, that the Divine Mercy will put an end to theſe ill-boding calamities and Diſorders; by granting to the moſt ſerene Houſe

of

of *Auſtria* a numerous and happy Male Succeſſion; that ſo the Imperial Diadem may without Moleſtation, be continued to thoſe moſt Auguſt Princes, who are the beſt able to ſuſtain the Dignity and Splendor of the Empire, by means of their Hereditary Dominions; and to make Head againſt the formidable Forces of the *Turks*, who omit no Opportunity to make themſelves Maſters of all *Germany*.

In all Proceſſes and Differences at Law, as well Civil as Criminal, which from time to time ariſe amongſt the ſaid States, and Members of the Empire, Juſtice is adminiſtred to them by two ſovereign and unappellable Tribunals; that is to ſay, by the *Imperial Chamber*, which is kept in the free City of *Spire*, and by the *Imperial Aulick Council*, as they call it; which is never far from the Emperor's Perſon. Theſe two Tribunals are compoſed of a Preſident, who ought to be either a Prince or Earl, and of a Vice-Preſident; the firſt conſiſts of 50 Aſſeſſors, and the ſecond of 24 Counſellors, divided into Nobles and Doctors, half Catholicks, and half Proteſtants; ſome named by the Emperor, ſome by the Electors, and two by every one of the ſeven aforeſaid Circles; provided with a Salary of 1300 Florins a year a piece, convenient Habitations to dwell in, and other Emoluments. All the Vaſſals of the Empire have recourſe to the ſaid Tribunals at their own Choice and Election, except the *Italians*, who by an Abuſe, that in proceſs of time has improv'd it ſelf into a Law, only apply themſelves to the *Aulick Council*; and the Burghers of ſome free Cities do ſtill preſerve the right of appealing to the ſaid Tribunals: But otherwiſe, nothing of that nature is permitted to any Subject, or immediate Vaſ-

ſal of any Elector, Prince, or State; by virtue of the Conſtitutions made in the laſt Diets. The renewing of the Inſtalments of Imperial Feuds, is only granted in the ſaid *Aulick Council*, and diſpatched by the Chancery of the Empire; which is inſeparable from the ſaid Council, and in which there ſits in the Name of the Elector of *Mentz* a Vice-Chancellour, inſtalled into this Office by his Eminence; to whom it belongs to diſpoſe of all Places in the ſaid Chancery, and to pardon or moderate ſuch Taxes, and Duties as ought to be paid for Inſtalments, Privileges, Grants, Commiſſions, and any other Expeditions, or Diſpatches whatſoever, and finally, to viſit and reform (in caſe of need) the ſaid *Aulick Council*; in which, not even the Emperor himſelf can inſtall any Perſon, without giving notice of it before-hand to his Electoral Eminence.

The Execution then of the Sentences pronounced in the aforeſaid two Tribunals, is, for the moſt part, committed here in *Germany* to the Directors of the Circles; and in *Italy*, unto ſuch as the Emperor pleaſeth to nominate.

As for the common Expences, which are neceſſary, as well for carrying on of War, as for maintaining the Chamber of *Spire*, and ſome Officers of the Empire, defraying the Expences of the Diets, and maintaining the Garriſons of the Frontier Places of *Hungary*, and the like, every State and Member is taxed proportionably, according to their Ability, by Aſſeſſment, not only to a preciſe ſum of Money, but alſo to a certain number of Soldiers, which Contribution is called the *Romans Monethez*; and formerly they uſed to grant about 100 of them a year for the Subſiſtence of the Imperial Court, which amounts to 700 thouſand

Florins

Florins and more; But becauſe this Payment, by the Generoſity of the *Auſtrian* Princes, has been purpoſely intermitted theſe many years paſt, and the Aſſeſſments have been exceedingly alter'd, by reaſon of the great Alterations introduced by the laſt Civil Wars, 'tis no wonder that we find ſo many Hindrances and Stops both in their Preparations againſt the *Turks*, their Proviſions for the Publick Security, and gathering the 50 *Monethez*, granted to the Emperor for the fortifying the new Places of *Hungary*. Therefore 'tis impoſſible to form any certain Judgment on theſe Matters, before theſe Aſſeſſments are reformed and regulated, which perhaps will not be effected without great Difficulty, ſince the Execution of them is entirely lodg'd in the Hands of thoſe Perſons, that having enrich'd themſelves at the Publick Expence in the late Troubles, are now at preſent the moſt powerful, and conſequently the greateſt in Authority and Credit.

In caſe of an *Interregnum*, the Electors of *Bavaria* and *Saxony* are entruſted with the Adminiſtration of the Empire, under the Title of *Vicars*, each of them in the Compaſs aſſign'd to him by the *Bulla Aurea*: Yet the Elector *Palatine* in the laſt *Interregnum* (which happened after the Death of *Ferdinand* the third) did oppoſe *de facto* the Vicarſhip then poſſeſſed by *Bavaria*; pretending, that with his Reſtitution to the Electoral Dignity, he was likewiſe reſtor'd to that of *Vicar* alſo; and though the Proceſs was then commenced at *Frankfort* in the Electoral College, nevertheleſs ſo many Heart-burnings and Diſorders happened upon it, that it was judged convenient to bury the Controverſy in ſilence, and leave it undecided.

To the Elector of *Mentz* it belongs to notifie to all the States of the Empire the Death of *Ceſar*,

and to ſummon all his Brother Electors by the time preſcribed in the ſaid *Bulla Aurea*, to the City of *Frankfort*, for the Election of a new Emperor: And when that Affair is over, the Electors are bound to go in Perſon with the new Elected to * *Aquiſgrane*, to ſee him crown'd there: All which is uſually perform'd with great Magnificence and State; Some of the chiefeſt Ceremonies I will endeavour briefly to deſcribe, that were uſed at the Election and Coronation of the preſent Emperor *Leopoldus* the firſt, in the year 1658, in the aforeſaid City of *Frankfort*; where the Electors together compiled the Capitulation that was to be preſcribed to the new *Ceſar*, conſiſting of 27 Articles, and wherein was determined the time, and all other Punctilios relating to the Election.

* *Al.* Aken, *or* Aix la Chapelle.

All Strangers of what Quality or Condition ſoever, had Intimation given them three days before to get out of the City upon that day, except they belong'd to any of the Electors, or their Miniſters, or were to diſcharge any Office in that Ceremony: Which Order being obeyed by the *Spaniſh* and *French* Ambaſſadors, as likewiſe by his Holineſs's *Nuntio*, and the reſt, the City Gates were ſhut up, and the Burghers in Arms were diſtributed in ſeveral places of the City. At the appointed hour the Electors being come into the Veſtry to cloath themſelves in the reſpective Habits of their Dignity, repaired to the Cathedral Church on Horſeback, after a very numerous Train of Servants and Footmen: In the firſt Rank were the Electors of *Mentz* and *Triers*; in the ſecond, thoſe of *Colen* and *Bohemia*; in the third, thoſe of *Saxony* and the *Palatine*, and in the fourth the Ambaſſadors of *Bavaria* and *Brandenburg*, their Maſters being

being abſent, without any Marſhals before them.

When they were arrived in the great Church, and had taken their Seats prepared on purpoſe for them, amongſt which that of *Triers* was placed in the middle, the Biſhop of *Worms* ſung the Maſs of the Holy Ghoſt, and at the Elevation of the Bleſſed Sacrament the Proteſtant Deputies withdrew. Afterwards the accuſtomed Oath of Election was adminiſtred upon the *Miſſal*, the Elector of *Mentz* giving it into the Hands of that of *Triers*, and he with all the reſt into the Hands of the firſt: Then the Church being ſhut up by *Papenheim*, the Marſhal of the Empire, they retired into the Sacriſty; where the Votes being then given, according to the Form preſcribed in the *Bulla Carolina*, *Leopoldus* of *Auſtria* King of *Hungary* and *Bohemia* was elected *nemine contradicente* King of the *Romans*, and then each Elector calling five or ſix of his principal Miniſters, a publick Inſtrument was drawn to certifie the Election, and the new elected King, walking between the Electors of *Triers* and *Colen*, he of *Mentz* preceding, and the others following, they brought him to the great Altar, and after ſome Prayers (pronounced by the aforementioned Biſhop of *Worms*) they placed him upon it, that he might receive the Acclamations of the People, who had the News given them in the mean while by the *Prepoſitus* of the Cathedral of *Mentz*, aſcended on a Pulpit erected for that purpoſe hard by the Church Gate, which was again wide opened, and the Plebeans admitted to make their Acclamations. After this the new Elected did ſwear to the Obſervation of the Articles preſcribed to him; then the Electors coming from their Places, accompany'd *Cæſar* to his Apartments in the following Order.

Firſt of all (after a great Multitude of Footmen, Lackeys and Courtiers) marched four Heralds with the Arms of *Auſtria*, *Hungary*, *Bohemia*, and the *Empire* upon their Breaſts; then the Ambaſſadors of *Bavaria*, and *Brandenburgh* richly mounted rode in the firſt Rank, follow'd by the Elector of *Triers* alone, after whom came the Prince of *Hoenzollern* hereditary Chamberlain (inſtead of *Brandenburgh*) with the Sceptre, and the Elector *Palatine* great Treaſurer with the Imperial Crown, and the Earl of *Zaik* hereditary *Trouckſes* or *Sewer* (inſtead of *Bavaria*) with the Globe. Then follow'd after likewiſe on Horſeback the Elector Duke of *Saxony* great Marſhal with the great naked Sword in his hand, preceded by the Earl of *Papenheim* hereditary Marſhal with the Scabbard, and after his Electoral Highneſs, came the Perſon of the elected Emperor, with the two Electors of *Mentz* and *Colen* on each ſide of him.

Being come in this Order to his Majeſty's Palace, they all took leave of him, and returned every one to his Quarter, diſtributing the neceſſary Commiſſions for the Preparation of the Solemnity of the Coronation: After this, his Majeſty entertain'd the Electors at a moſt magnificent Feaſt; and on the ſecond of *Auguſt* the Ceremony of putting the Imperial Diadem upon his Head was performed in the ſame City of *Franckfort*, and not in *Aquiſgrane*, as the *Bulla* orders it; which was occaſioned not only by a Fire that had happen'd there a few months before, by which it was made uncapable to entertain ſo many great Princes and their Retinue, but likewiſe by the Differences then on foot between the Archbiſhops Electors of *Mentz*, and *Colen*, upon the Right of Crowning the new elected King of the *Romans*; the firſt uſurping

it

it to themſelves, under pretence that the Predeceſſors of the preſent Archbiſhop of *Colen* had forfeited this Right by neglecting to perform it; but the latter, alledging that the Reaſon why they had not performed it was only becauſe they were not Prieſts, challenged and obtained by way of friendly Compoſition the Reintegration of the ſaid Right; but upon Condition, that in caſe from that time forward this Solemnity ſhould happen to be celebrated in the Dioceſs of *Mentz*, the prerogative of Crowning ſhould then belong to the Archbiſhop of the ſame, and if in another Place, the ſaid Office ſhould be alternately performed by them.

Early in the morning the Burghers of the City being all in Arms, and having laid a Bridge of Boards cover'd with four thouſand Braces of black, white, and yellow Cloth, two of the principal Canons of *Mentz* and *Colen*, with a great number of Attendants and Followers, came to the Imperial Palace, and with a moſt elegant Speech, delivered unto his Majeſty the Crown of *Charles* the Great, which was accepted and received with Expreſſions of Thanks. Almoſt at the ſame time the two Secular Electors arrived there, with a great number of Guards, and a noble Retinue, clothed in their Robes and Bonnets belonging to their Dignity, together with the Ambaſſadors of *Bavaria* and *Brandenburgh*, to accompany the King to the Cathedral Church, which they did in the ſelf ſame order as was obſerved before, only there was added a very rich Canopy, carried by the eldeſt Magiſtrates of the City, under which his Majeſty marched to the Church Gate, where he was met and received by the three Eccleſiaſtick Electors in their Pontifical Robes, of whom that

of *Colen* celebrated the Divine Office, his Majeſty placing himſelf under a Majeſtical Throne that was erected on the Epiſtle ſide; and after him the Electors, over againſt whom, in a place almoſt even with it, was placed his Holineſs's *Nuntio*, and the Ambaſſadors of *Spain*, *Penaranda*, and *la Fuente*, and after them the Princes Aſſiſtents.

When Maſs was ended, and the accuſtomed Oath taken by the new *Cæſar*, in the Hands of the Elector of *Colen*, with the Aſſiſtance of the other two, he was by the ſame Archbiſhop anointed and inaugurated King of the *Romans*, then being brought into the Veſtry, he put off the Electoral Robe, and put on the Royal Mantle, returning back again with it to the Altar, where he girded himſelf with the Sword of the ſaid Emperor *Charles* the Great, put the Ring on his Finger, and took the Scepter and the Globe in his Hands, and then bowing down received the Crown, which was put on his Head jointly by the three Eccleſiaſtick Electors; then having ſung the *Te Deum*, with the Diſcharge of all the Guns and Artillery, and the Elector that ſaid Maſs having given the Benediction, His Imperial Majeſty aſcended on a little Scaffold erected in the ſaid Church, and created 14 Knights of the Empire, giving each of them three light Strokes with the Imperial Sword upon the Shoulders.

This being done, the Proceſſion marched again to the Town-Hall, leaving the Cloth that cover'd the abovementioned Bridge to be ſeized by the People; and the two Electors of *Mentz* and *Colen* held the Train of the Imperial Mantle. When his Imperial Majeſty was come to the Town-hall, the Elector of *Saxony*, as ſupreme Marſhal, gave

Order

Order that the Meat ſhould be brought to Table; and in the interim, being mounted upon a curious Horſe, and riding into a great heap of Oates placed before the *Prætorium*, he performed the Ceremony of filling a Silver Pot to the brim with Oates, and then ſtruck it with a Silver Rod; when this was over he gave it to his Subſtitute the Earl of *Papenheim*, leaving the reſt to the People. Afterwards appeared the Elector *Palatine*, Great Treaſurer of the Empire, ſcattering and flinging Medals of Gold among the People; and was followed by the Earl of *Sinzendorff*, Treaſurer hereditary, who likewiſe diſtributed Silver Medals; and the Earl of *Zaill* hereditary *Trouckſes* or *Sewer*, in the name of the Elector of *Bavaria* cut off a piece of a whole Ox that was roaſted in the *Piazza*, and carried it into the *Prætorium*, leaving the reſt to the People; and the Prince of *Hoenzollern* hereditary Chamberlain, in the room of the Elector of *Brandenburgh*, held the Baſon for the Emperor to waſh his Hands.

Thus having all diſcharged their ſeveral Offices, his Imperial Majeſty laid the Imperial Robes upon a Table prepared for the ſame purpoſe, and ſate down to dinner under an elevated Throne, not far diſtant from which, ſome Steps lower, were the places for the Electors. The firſt on the right Hand was for him of *Mentz*, then for *Bohemia*, *Bavaria*, and *Brandenburgh* abſent; that in the middle of the Hall for *Triers*, and on the left for *Colen*, *Saxony*, and the *Palatine*: Even with the Floor there was placed another Table for the Princes of *Worms*, *Lobcowitz*, and *Ausburg*: With this Order his Majeſty began his Dinner, after the Benediction given by the Elector of *Mentz*, who as great Chancellour did wear the Imperial Seal hanging about

about his Neck; and after a ſhort ſpace of time the Baron of *Limburg*, Cup-bearer hereditary, ſolemnly preſented unto his Majeſty a Cup to drink, as a Subſtitute of the Elector King of *Bohemia*. After this his Majeſty's Health was drunk, not only by the noble Gueſts in the Room, but by the common People alſo, to whom by a ſpread Eagle erected in the Yard of the *Prætorium*, both white and red Wine was very plentifully diſpenſed; as likewiſe a ſufficient Quantity of Bread during the whole time of the Dinner, which laſted for the ſpace of four hours; After which, *Cæſar* being accompanied home by the Electors, the Entertainment concluded.

This moſt auguſt Monarch, who governs his People with great Clemency and Moderation, endeavours all that lies in his Power to maintain the Peace of *Germany*, and all the Empire in general: To compaſs which Deſign, he wiſely connives at the many Attempts that have been made againſt his Greatneſs and Authority, ſet on foot and encouraged by ſome Princes and States of the Empire, who are led into theſe falſe Meaſures by vain and hazardous Hopes, or ſeduced by the ſubtle Inſinuations of ſuch as deſign their common overthrow.

Some of them nevertheleſs, having opened their Eyes, and diſcerning the Dangers into which they had plunged themſelves unawares, endeavour to remedy it, and ſecure their Liberty, never before ſo perfectly enjoyed in *Germany*, as under the moſt auſpicious and gentle Sway of *Leopoldus*.

Having thus briefly run over the Form, by which at preſent the *Roman German* Empire is governed: I ſhall now paſs to that of the Kingdoms, and patrimonial Provinces poſſeſſed by his Imperial Majeſty, amongſt which the Kingdom of *Hungary*

is

is the moſt remarkable, as well upon the Score of its Antiquity, as upon many other Accounts too well known to be here enumerated. I ſhall therefore begin with this, and obſerve, That *Hungary* hath been for theſe many Ages governed by its own Laws, and hath the Right of electing its own King by the States of the Kingdom; where they have hitherto always enjoyed, until theſe later days, a Liberty not at all inferiour to that of the Princes of *Germany*; and what is more conſiderable, even after they had exchanged, by way of Contract made with the moſt Auguſt Houſe of *Auſtria*, this Elective Kingdom into an Hereditary one, they uſed to chuſe out of the number of four Grandees named by the King, a Palatine or Vice-King, who was not obliged to obey his Majeſty any farther than he was required by the Statutes and Conſtitutions eſtabliſhed by the ſaid States, that were compoſed of the Eccleſiaſtical Order, the Nobility, and the Royal Cities, which enjoy great Privileges and Immunities.

But ſince Ambition and Treachery ſeduced ſo many of the great Men from their Allegiance and Duty, his Majeſty has been conſtrained, for the Security of ſo important a Kingdom, which is the chief Bulwark of all Chriſtendom againſt the *Ottoman* Forces, to take the Rod into his Hands, contrary to his own natural Inclination; and having both by the Death, Impriſonment, and Confiſcation of their Eſtates, puniſhed many of the chief Ring-leaders, that were ſo far infatuated as to enter into private practices with the *Turks*, and betray, together with their natural Prince, their own Country to a barbarous inveterate Enemy; his Majeſty found himſelf obliged to govern this Head-ſtrong People with a ſeverer Hand, forcing them

them to quarter the greateſt part of the Imperial Army, and to contribute not only to the Maintenance of the ſaid Troops, but to the building of the Cittadel already begun in *Caſſovia*, and for the Fortifications of *Trenchin*, *Eperies*, *Muran*, *Echied*, and other Fortreſſes taken from them, obliging and forcing beſides the Proteſtants to the Reſtitution of the Churches taken from the Catholicks: And, in fine, the *Hungarians* muſt be treated after the ſame manner with the *Bohemians*, to be kept *from the Jaws of the Eaſtern Dragon*, who continually watches to devour them.

The Archbiſhop of *Strigonia*, great Secretary of the Kingdom, and the Chancellour Biſhop of *Agria*, together with a Tribunal eſtabliſhed in *Presburg*, compoſed part of *Hungarians* and part of *Germans*, are thoſe Perſons through whoſe Hands do paſs at preſent all the Affairs of the Kingdom; and the Chamber takes care of the Royal Revenues, which have been conſiderably augmented by the Impoſition of Taxes, and the Confiſcation of Eſtates: The moſt certain part of this Revenue, which may perhaps amount to the ſum of 300 thouſand Eſcudos, is gotten out of the Mines, with which are maintained the greateſt part of the *German* Garriſons that are quartered in *Zatmar*, *Leopoldſtadt*, *Comorra*, *Javarin*, *Pappa*, *Ciachoturn*, and *Carlſtadt*, beſides the above-mentioned Places; ſeveral Commanders of which have from five, eight, ten, up to fifteen thouſand Florins yearly Penſion.

The other Kingdom which the Emperor poſſeſſes with an abſolute Dominion is *Bohemia*, divided into 12 Circles, which have a Governour ſet over them by the royal Tribunal, conſiſting of 12 Directors, all Grandees of the Kingdom, the Head or Chief

Chief of whom is the *Burgrave* of *Prague*, who is as it were a Vice-King, and to him it belongs to call and aſſemble, in the Royal Name, the Diet of the State, compoſed of Prelates, Nobility, and Royal Cities. In this Diet all thoſe Matters which are recommended in his Majeſty's Name by the Commiſſaries that make the Propoſition are finally reſolved. The ſaid States, whenever they find themſelves overcharged beyond their Ability, have Liberty to make their juſt Remonſtrances, and petition for a Relief as uſually they do, and for the moſt part upon the Agreement that they make with the Royal Commiſſaries about the Contributions, they get the third part of the demanded ſum to be remitted: The aforementioned Tribunal receives the Appeal of all other Judicatures or Magiſtrates whatever, and from that in weighty Cauſes they remove to the Chancery, which repreſents the King's Perſon, and is kept continually near his Majeſty, together with the Chancellour, Secretary, and other Officers. There is likewiſe in *Prague* a Chamber, with its Preſident that takes Care of the Royal Treaſure which is very conſiderable, this Province being very fertile and populous.

In criminal Cauſes the Captains or Governors of the reſpective Circles make the Proceſs, and the Tribunal pronounces the Sentence of Death; but if any Nobleman of the Kingdom is concerned, Sentence muſt be confirmed in full Diet, and the Delinquent upon his bare Promiſe to appear whenever he is called, is exempt, and free from all arreſts, except in caſe of High Treaſon. Every Nobleman has his Subjects according to the Faſhion of *Germany*, over whom he domineers with abſolute Authority; and many of them have alſo the Power of Life and Death in their reſpective Diſtricts.

ſtricts. In ſhort, no People in the World are ſuch effectual Slaves as the *Bohemians* are.

The ſaid Kingdom comprehends three vaſt Provinces, *viz. Sileſia*, which is divided into the Upper and Lower, and diſtributed into 17 Dukedoms and four free Baronies, governed ſome by their own Lords, and ſome by Deputies appointed by the King: The Dukedoms ſubject to their own Lords, are *Croſſen*, which belongs to the Elector of *Brandenburgh*; * *Lignitz*, *Volau*, and *Brigh* to a Calviniſt Prince of the Houſe of *Piaſtea*, deſcended from the ancient Kings of *Poland*; *Sagan* to the Prince of *Lobcowitz*; *Munſterberg* to the Prince of *Ausburgh*; *Jagerndorff*, and *Zoppa* to Prince *Charles* of *Liechtenſtein*; * *Oelz* to a *Lutheran* Prince of *Wirtemberg*. The others, governed by the Kings Governours, are * *Breſlaw*, *Faur*, *Schweinitz*, *Glogaw*, *Groteau*, *Zeſchen*, *Ratibor*, and *Oppelen*; the Baronies are called *Militſch*, *Drackembergh*, *Vartenbergh*, and *Ples*; all which Dukes, Governors, and Barons obey the Vice-Duke, (called by them *Oberhampt*) whoſe Charge or place was commonly ſupplied by the Biſhop of *Uratiſlavia*; But in caſe the latter is not capable of that Function, as at preſent, the ſame Church being conferred by his Imperial Majeſty upon the Cardinal *Landgrave* of *Heſſe*, who is employed in the Management of the Imperial Embaſſy, and Protection of *Germany* at *Rome*; then the King is obliged to make Choice for the ſaid Place of *Oberhampt*, of one of the aforeſaid, conſtituting him chief Head of the ſupreme Tribunal, which is kept in the free City of *Uratiſlavia*, where alſo is the fixed

* *al.* Briege.

* *al.* Olſſe.

* *The* Bohemians *call it* Wratzlaw, *in* Latin Uratiſlavia.

fixed Residence of the Chamber Council compoſed of a certain number of Aſſeſſors, ſome Nobles, and ſome Doctors, after the ſame manner as is obſerved in the other hereditary States of his Imperial Majeſty: Each of the abovementioned Dukedoms, and Baronies form a diſtinct State, aſſemble its Diet, and hath the Right of putting to Death, and ſome few of Coining Money; but for the reſt they are ſubject to all ſorts of Impoſitions, and Taxes, and quartering of Soldiers, as all the other inferiour States are. And the ſame Prerogatives are enjoyed by the Biſhop of *Uratiſlavia* alſo in his City of *Niſſa*, and other Lands that he there enjoyeth. In *Siloſia* only, amongſt all the hereditary Countries of his Imperial Majeſty, by virtue of Conditions comprehended in the Contract of Peace, is permitted the free Exerciſe of the Sects of *Luther*, and *Calvin*; upon which Account 'tis for the moſt part inhabited by People of that Perſuaſion.

The ſecond Province annexed to *Bohemia* is the Marquiſate of *Moravia*, which is likewiſe governed independently from the *Burgrave* of *Prague*; and the States of the ſaid Marquiſate are compoſed of Eccleſiaſticks, Nobles, and Knights: They obey the ſupreme Captain of the Country, who is inſtituted *Imperatoris beneplacito*; the ſame Captain ſits in a Tribunal, which judges both civil and criminal Affairs, and to which come the appeals of the Captains of the Circles. As for the reſt, it is governed in all Reſpects as *Bohemia*, and the Inhabitants ſpeak the very ſame Language, which is the *Sclavonian*. The City of *Olmutz* is the Capital of this Province, whoſe Biſhop is an abſolute Lord and Maſter, as well in Spirituals as Temporals, of the ſmall Cities of *Kremſier*, *Piſtovia*,

and

and other Places, from whence he gets above 100 thouſand Florins a year, and Coins Money. The aforeſaid Captain of the Country, with his Tribunal and Chambet keeps his Reſidence in *Brin*, as a Place more commodious, ſtronger, and better fortified.

The Province of * *Luſatia*, divided into the Lower and Upper, is alſo comprehended under *Bobemia*, though by the Peace of *Prague* it was left to the Elector of *Saxony*, who acknowledges his Sovereignty to the King, and receives the Inſtalments thereof from him. The Capital City is *Gorlitz*, which enjoys great Privileges; the Captain of the Country, the ſupreme Tribunal, and the Chamber keeping their Reſidence there. 'Tis governed in the ſelf ſame Form as *Moravia*, according to which is governed *Saxony* alſo, and the greateſt part of the Provinces of *Germany*; only in thoſe Places where the Sects of *Luther* and *Calvin* prevail, the Order Eccleſiaſtick of Biſhops, Prelates, and Abbots is wholly out of doors.

* *al.* Lauſinitz.

The other hereditary Provinces of his Imperial Majeſty are comprehended in *Auſtria*, divided into three Diſtricts, the Upper, the Lower, and the Middle, under which are reckoned the Dukedoms *Stiria*, *Carintbia*, and * *Craine*, with the Counties of *Tyrol* and *Goritia*.

* *al.* Carniola.

The City of *Gratz* is the Metropolitan of *Stiria*, where there is a Council of State, one of War, and another of the Chamber, with the ſupreme *Tribunal di Regimento*, of the Province; all which extend their Juriſdiction as far as *Carintbia*, *Craine*, *Caiſo*, and *Goritia*; In each of the aforeſaid Precincts there is a Governor with his Court

to adminiſter Juſtice, and the firſt keeps his Reſidence in *Klagenfort*, the ſecond in * *Lubiana*, the third in *Trieſte*, and the laſt in *Goritia*; from all which Appeals are admitted to the ſaid Council of State, and from that, in Cauſes of great Importance, to the Chancery of *Auſtria*, which is always near his Majeſty's Perſon. The Emperor by the Conſent of the ſaid Chancery and Council of State, uſes to confer the place of Marſhal, who is the chief Head of the States in each of theſe Provinces, (the ſaid States being diſtinguiſhed into three Orders, Eccleſiaſticks, Nobles, and Knights) and this Marſhal's Office it is to aſſemble the Provincial Diets, and to judge the Nobility, with the Aſſiſtance of ſome Aſſeſſors Nobles, both in civil and in criminal Matters, excluſive of Death, the Deciſion of which is reſerved to the Emperor: As for the ſaid Right of Judicature even unto Death, and putting the Sentence in Execution, after it has once been ſigned by the Tribunal of the Regiment, all the Magiſtrates of Cities, and divers Caſtles have it, yet exerciſe it only upon the Plebeans, and Strangers. With the Approbation of the States aforeſaid, the Marſhal of the Country may likewiſe create new Nobles or Knights, provided they have the Conditions and Qualities befitting ſuch a Degree. Thoſe required for a Nobleman are, that he ſhould poſſeſs in the Province Lands ſufficient to ſupport the Grandeur of his Rank, and have three or four hundred Subjects; or elſe that the Perſon of the Pretender ſhould be by ſpecial Privilege advanced into the number of Barons or Earls; and as for a Knight, 'tis ſufficient that the Party is poſſeſs'd of Lands to the value of 10000 Florins, with 15 or 20 Subjects, or elſe that he depoſite the worth

* *al.* Laubach.

thereof into the Treaſury of the Province, but he muſt never have been of any Trade or Vocation whatſoever; and ſo with the Diſburſtment of two thouſand Florins he muſt cauſe himſelf to be aſſeſſed, for otherwiſe, he is liable to pay the Prince a double Fine, and any Man of the Province has free leave to take from ſuch a one, all his Goods upon Payment of the value thereof; which is practiſed in all *Germany*.

In matter of the Finances, Confiſcations, and other ſuch like Matters, the Chamber takes Cognizance of them by its Subſtitutes or Deputies: Of equal Authority to this is the Council of War as to all Military Affairs, unto which the Collonels of the foreign Militia's are ſubject, of which every Province with his Majeſty's Approbation chuſes one, whoſe Office is to gather and command the Forces order'd by the Prince upon any emergent Urgencies of State.

After the ſelf ſame Method is governed likewiſe the County of *Tirol*, with *Suntgovia*, and *Briſgovia* as depending upon the ſame, and in the City of *Inſpruck* is a Council of State, the *Regimento* of thoſe Provinces, and the Chamber.

The *Upper Auſtria* hath no Council of State, but inſtead of that the Emperor eſtabliſhes a ſupreme Captain or Governor in the City of *Lintz*, who ſits in the *Tribunal di Regimento*; for the reſt it obſerves the ſame Method as the other Provinces, as likewiſe the *Lower Auſtria*, the Capital of which being *Vienna*, the accuſtomary Reſidence of the Imperial Court, I ſhall briefly deſcribe the preſent State thereof.

This Imperial Court is very Magnificent and Noble, not ſo much for the Perſons that there are entertained with Salaries at the Emperor's Charge (theſe being

being very few) but for the number of Princes and great Lords, that either keep their continual Reſidence there, or come very often to pay their Attendance upon the Emperor for their own Affairs. What chiefly contributes to its Splendor and Magnificence, is the great number of *Camariers* or Grooms of the Chamber belonging to it, who wear a golden Key hanging at their middle, are all of them Perſons of Quality, of great Birth and conſiderable Eſtate, and are above three hundred in number.

The firſt place in point of Honour and Profit, is that of *Maiordomo Major*, which is ſo much the more advantageous to him that poſſeſſes it, as 'tis moſt commonly accompanied with the Superintendency of all Affairs, and has a Penſion of 6000 Florins a Year, beſides a noble Allowance for an open Table, which he is obliged to keep. This honourable Poſt at preſent is enjoyed by *Winciſlaus* Prince of *Lobcowitz* Duke of *Sagan*, a Bohemian Lord.

After the place of *Maiordomo Major*, the moſt Worthy is that of Counſellor of State. This Council conſiſts of about 16 Perſons, moſt of them employed in the chiefeſt Offices of the Court, who to avoid all Diſputes about Precedence, take place according to their Seniority, and are complimented with the Title of *Excellence*, the effect of pure *Italian* Vanity, that has taken footing here, for in *Germany* this Title is not much uſed. But the Princes, though not ſo ancient, do precede both in ſitting and voting all other Perſons of inferior Condition. The Emperor himſelf aſſiſts almoſt always perſonally at this Council, determining therein all ſorts of Matters, and particularly thoſe which require the Imperial Approbation, being either Civil or Criminal, or relating to the Grace of the Em-

pire, with the other his Majeſty's Eſtates. The Secretaries of thoſe Tribunals, or Chanceries reporting the ſaid Matters, where the Expeditions or Diſpatches of them do properly belong; and although the other Councils of State that are diſtributed in the hereditary Countries, as alſo the *Imperial Aulick Council*, together with thoſe of *War*, and of the *Camera*, and the reſt do not depend upon the aboveſaid Council of State; nevertheleſs they borrow the Method and Form of their Deliberations from it, and apply themſelves to it to corroborate the ſame: Out of the abovementioned number of Privy Councellors, the Emperor hath choſen three of the moſt eſteem, who are the Prince of *Lobcowitz*, the Prince of *Swartzemberg*, and the Earl of *Lamberg*, Lord high Chamberlain, unto whom is always added the Lord Chancellor Baron *Hoker*, and theſe form between themſelves a *Junto*, for Affairs of more Difficulty, Importance, and Secrecy, and are uſually aſſiſted by other Miniſters, according as the different Poſture of Affairs requires: As for Example, in the Emergencies of War the Preſident of the Council, who at preſent is the Lieutenant General, the Earl *Raimondo Montecuculi*, and in thoſe of the Empire, the Vice-Chancellor thereof, who is now the Earl of *Conigſeg*, and ſo all others accordingly: This Form was judged the moſt ſure, to avoid the Confuſions which a Multitude, divided by Emulations and Factions, uſually occaſion; from which Inconveniencies great Courts are ſo far from being exempt, that they are never without them.

After the *Council of State*, that which is called the *Imperial Aulick Council*, enjoys the firſt place, compoſed of a Preſident, who is now the Prince of *Swartzemberg*, and about 24 Counſellors, ſome Catholicks,

Catholicks, and ſome Proteſtants, divided into two ſeveral Benches of Noblemen, and of learned Men, named by the Emperor, by the Electors, and by the Circles of the Empire, and inſtalled with the Conſent of the Elector of *Mentz*, and *Maiordomo Major* of his Imperial Majeſty: In this ſupreme Tribunal are decided all civil and criminal Cauſes depending amongſt the States, and Feudataries of the Empire, with which doth alſo concur the Chamber of *Spiers*, without one depending upon the other; and 'tis in the Liberty of the Plaintiff, to begin the Suit in which of the two Courts he pleaſeth: Though the *Italians* by virtue of long Uſage, obſerve it almoſt for an eſtabliſhed Law, to apply themſelves in their Occaſions only to the *Aulick Council*, by which are diſpatched, but yet with the Ratification of the Council of State, all Privileges and Graces whatſoever, as likewiſe all the Inſtallments, for which all *Germans* are alſo obliged to make recourſe unto it, taking either perſonally, or by Letter of Attorney, the accuſtomary Oath of Fidelity before the Preſident thereof, and in full Council; and this when the Fief into which the Party is inſtalled is not a Dukedom, Principality, or Marquiſate of *Germany*, for the Princes and Marquiſſes of *Italy* enjoy not ſuch a Prerogative, In which caſe the Homage is performed before the Emperor himſelf with a great deal of Form and Solemnity, and the Ceremonies are as follow.

His Imperial Majeſty ſitting under an elevated Throne, aſſiſted on his right Hand by his Lord Marſhal of the Court with the great naked Sword in his Hand, and on the Left by the Vice-Chancellor of the Empire, ſurrounded by the *Maiordomo Major*, the Lord Chamberlain, the Cup-bearer, Sewer, and Treaſurer hereditary (to each of whom belongs

ſome Office or other upon this Occaſion, according to the Quality of the Prince inſtalled) waits for the Ambaſſador or Envoy whoever it be, who being introduced by the Lord Chamberlain, immediately at his very firſt Admiſſion into the Emperor's Preſence, after a deep and very low Reverence made, bends both Knees to the Ground, and riſing up again repeateth the ſame act of Genuflexion twice, and at the third, without any more riſing up, he expreſſes in elegant and ſubmiſſive Words the Petition of his Inſtalments, the *Germans* in their own Language, and all others in *Latin*: This done, the Emperor whiſpers the Vice-Chancellor in his Ear, and gives his Anſwer for the Grant of the Inſtalment, and Admiſſion to the Oath, which by the ſaid Vice-Chancellor with an eloquent Preamble ſuited to the Buſineſs in hand is pronounced aloud; after which the Imperial Majeſty bare-headed, taking the Goſpel in his Lap, receiveth the Homage of the Repreſentant Miniſter, who aſcends the Throne, and laying his right Hand upon the ſame Book, ſwears according to the form dictated to him at the ſelf ſame inſtant by the Vice-Chancellour; afterwards *Cæſar* takes the naked Sword out of the Marſhal's Hand, gives the Hilt to the Ambaſſador to kiſs, who bends his Knee again in the former place, gives his Imperial Majeſty moſt humble Thanks for ſo great a Favour, and then goeth away back again with the ſelf ſame Reverences, and acts of Adoration which he uſed at his coming in: And this Ceremony is likewiſe practiſed by the Royal Ambaſſadors of *Spain*, *Sweden*, and *Denmark*, whenſoever they renew the Inſtalments of the States of *Burgundy*, *Milan*, *Siena*, *Brabant*, *Pomerania*, *Bremen*, *Werden*, and *Holſtein*, all which acknowledge the *Sacred Roman Empire*: There being no other Difference, only that to the

Royal

Royal Ambaſſadors and Princes, who perſonally come to perform this Ceremony, his Imperial Majeſty uncovers ſomewhat more than to the reſt, when they make their Reverences to him.

There is a Council of War beſides the Preſident, whereof is *Earl Raimondo Montecuculi*, his Imperial Majeſty's Lieutenant General, which place he moſt worthily diſcharges; and under him is a Vice-Preſident, and an unlimited number of *Counſellors*, among whom the titular Perſons take the firſt places, and by the ſaid Council all Military Affairs are reſolved, the Government of Places diſtributed, the chiefeſt Offices conferr'd, and Orders tranſmitted to all other Councils of War, held in *Stiria*, *Tirol*, and other States: This Council hath a Chancery belonging to it, and Pay-Offices, but within theſe few Years 'tis deprived of the Treaſure which it formerly could boaſt of.

The Council of the *Imperial Aulick Chamber* or *Treaſury*, is directed by a Preſident, (who at preſent is the Earl of *Sinzendorff*) with almoſt an abſolute Power, eſpecially as to the Management of the Money, he having Authority to diſpoſe of it at his own Will, without any Obligation to give an Account, for that properly belongs to the Council: He hath under his Cuſtody the whole Treaſure of the Emperor, and all other Chambers, or Treaſuries of the Kingdoms, and his Majeſty's States are obliged and conſtrained to tranſmit all the Revenues to the *Pagadoria* or Treaſury of *Vienna*: The ſum total of theſe Revenues, according to the beſt Calculation, amounts to about nine Millions, five whereof are raiſed out of *Bohemia*, and other *Provinces* annexed to that Kingdom; three Millions out of *Auſtria*, and one Million out of *Tirol* and *Hungary*: But before the ſaid Money can be brought into the

Emperor's Exchequer, a great deal of it ſticks by the way: There is an infinite number of Offices both in the Chancery, *Pagadoria* or Treaſury ſubject to this Council, and depending on the Preſident's Orders.

The Marſhal of the Court (at preſent enjoyed by the Earl of *Harrack*) keeps likewiſe a Court of Judicature, which adminiſters Juſtice in civil and criminal Matters to the Family of the Court, and to all thoſe that depend upon the ſame; amongſt which are the Handy-craft Men, that are not Burghers or Citizens, and who, that they may follow their Trades without any Diſturbance or Moleſtation, are forced to procure an Imperial Patent. The Reſidents, and other Miniſters of an Inferior Claſs are comprehended under his Juriſdiction alſo; and unto him it belongs to order Quarters to be provided for all thoſe that enjoy any Place, or Office at Court, and out of the Reſidency at *Vienna* to the Ambaſſadors, and Reſidents aforeſaid alſo: Another Branch of his Office is to meet Princes and Ambaſſadors that come to Court, and conduct them to the Palace, and aſſiſt them; which Office at the Imperial Diets is exerciſed by the hereditary Marſhal of the Empire, being one of the Family and Houſe of *Papenheim*, obſerving in this the following Formalities.

Notice being given to the ſaid Court Marſhal of the Arrival of any Sovereign Prince, or Royal Ambaſſador, he goeth to meet him in two of the Emperor's Coaches, and abundance of others belonging to Lords, and Imperial Miniſters, all with ſix Horſes; and having gone ſome half a mile out of the City, he ſtops and expects the Stranger, who moſt commonly comes from a Village hard by, waited on and accompanied by ſeveral Coaches of Ambaſſadors

ſadors then reſiding at the Imperial Court (which Compliment they don't uſe to pay to any under the Degree of a Sovereign Prince, or Ambaſſadors from Crowned Heads) and when the two Coaches of the Ambaſſador and of the Marſhal meets, the latter coming out of his Coach inviteth the other (after the accuſtomed Compliments made) to enter into the Imperial Coach, and being both enter'd into it, and the Ambaſſador's Gentlemen into the ſecond of the ſaid two Coaches, they march towards the appointed Quarter for the ſaid Stranger, the Coaches of the Lords and Miniſters going before, and the empty Coach of the ſaid Ambaſſador immediately following, as alſo do thoſe of the other Ambaſſadors, with the Equipage of the ſame: On the day then appointed for ſolemn Audience, one of the *Trouchſes* or Gentlemen Sewers of his Imperial Majeſty appears at the appointed hour at the Ambaſſador's Houſe, with a Coach and ſix Horſes of the Emperor's, and waits on him to Court; being arrived at the Court-Gate, the Prince, or Ambaſſador whoever he is coming out of the Coach, meets the ſaid Marſhal, who accompanies him up to the very top of the Stairs, where he is received by the *Maiordomo Major*, who introduces him in to his Imperial Majeſty's Preſence, who receiveth him bare-headed, and then both being covered the Prince or Ambaſſador reads his Commiſſion, which being ended, he goeth back again with the ſame Ceremonies as before. With Princes of ſuperior Claſs, his Majeſty uſes by way of Diſtinction, to advance ſome Paces, and as for the Electors, he meets them about the middle of the Anti-chamber, and at parting he accompanieth them almoſt to the Guard Chamber, and returns them the Viſit at their own Houſes. At the Imperial Diets it belongs (as I have already obſerved) to the hereditary Marſhal to meet and receive the Electors, Princes, and their Ambaſſadors, but at

the Audience he makes no Figure at all: The ſaid Mareſhal ſits in the College of Princes, and there he ordinarily names thoſe who ought to give their Vote, and provideth Lodgings for all the States that come to the Diet: He ought likewiſe to take care that Victuals be cheap and plentiful, taxing by a ſpecial Book of Rates all manner of Eatables, and the like, for which reaſon he keeps many Officers under him.

At the Imperial Court three Ambaſſadors of Crowned Heads moſt commonly keep their Reſidence, his Holineſs's *Nuntio*, the *Spaniſh*, and the *Venetian* Ambaſſadors, and theſe have their Places in the Chapel, and wait on the Emperor covered; and when his Imperial Majeſty dines in Publick, enjoy the ſame Prerogative of ſtanding covered, waiting on him till about the middle of his Dinner, and if any Sovereign Prince, or one of eminent Quality happens to be there, as moſt commonly it falls out at the Diet, his Imperial Majeſty to avoid all Diſputes, dines bare without his Hat; other Potentates and Princes keep only their ordinary Reſidents, or Gentlemen Envoys, that have no place in the Chapel, neither do the Royal Ambaſſadors in their own Houſes give them the right Hand, which Method they obſerve likewiſe with all ſorts of Lords that have not the Honour of being of the number of the Imperial *Cameriers* of the golden Key, unto whom the ſaid Ambaſſadors without any repugnancy give the moſt honourable Place: As for the Princes of the Empire, and the Emperor's Privy Counſellors, the ſaid Ambaſſadors treat them at their own Houſes almoſt as equal, but in a third place, they give the Precedence to none but Cardinals, and ſhould it ſo happen that while they are waiting on his Imperial Majeſty any Archduke ſhould come in, the ſaid Ambaſſadors then would by no means ſeem to give him Place, but walk immediately after *Cæſar*'s Perſon: The Ambaſſadors of the Electors pretend the

ſame

ſame Regal Treatment, and refuſe to give the Precedence to the *Venetian* Ambaſſadors, or any Prince whatſoever; but until of late they could not obtain their Intent, ſince the Republick, to avoid any Inconveniences that might ariſe thereby, forbears to ſend any Ambaſſador unto the Diets, and the Princes inceſſantly proteſt againſt ſuch Pretentions: There is likewiſe a Competition for the Hand between the Electors, Cardinals, and Royal Ambaſſadors, the firſt denying it to the latter two in a third place, and *vice verſâ* the Cardinals to the Electors, though in their own Houſe: No Prince (except thoſe of the moſt Auguſt Houſe of *Auſtria*) nor no Ambaſſador at the ordinary Reſidence of the Emperor can make his Entry, or walk in the City with Guards, nor ſound the Trumpets, nor uſe any other Ceremonies denoting Sovereignty; but in the free Cities, in time of Diets, every Sovereign Prince of the Empire can freely make uſe at his own Pleaſure of Trumpets and Kettle-drums, and keep Guards, as well the Seculars, as Eccleſiaſticks: As for Titular Princes, which enjoy the Privilege of Sitting and Voting, they are only permitted the Trumpet, as alſo the Royal and Electoral Ambaſſadors; but thoſe of *Spain* and *France* have many times exceeded theſe Orders, by keeping of their Guards, not without great murmuring on the ſide of the *Germans*.

Amongſt the number of the ſaid Counſellors of State, there is moſt commonly the Vice-Chancellor of the Empire, who is inſtalled with the Conſent of his Imperial Majeſty by the Elector of *Mentz*, in whoſe Name he ſits, and preſides in the Aulick Imperial Chancery divided into the *Latin*, and the *German*; each of them hath its Secretary, a Regiſter, and divers Officers, and all depending upon the ſaid Vice-Chancellour's own Will, and have their Salaries paid out of the *Office* of the *Tax* belonging to the ſaid Chancery,

they deny to them the *Dilettione*: 'Tis a cuſtom beſides of the ſaid Electors, and alſo of the Regnant Princes, when they write to an inferior Perſon, to ſet down in their Letters their Titles at length, and they take care to obſerve ſuch a Difference; for if the Letter is directed to any Prince, or free Earl, the ſaid Titles are written at length immediately before the Under-writing, which they make only of their own Name; but writing to any other Nobleman, though Titular, if they be Subjects, or elſe have Vaſſals depending upon them, in ſuch caſes they ſet the Titles at the head, or beginning of the Letter: The ſaid calling of *Voſtra Gratia*, in *German Eier Gnaden*, is practiſed by the Son towards the Father, by the ſecond Son towards the Elder Brother, by the Biſhops towards the Metropolitan, and ſo by any Inferior whatſoever towards his Superior, being of the Degree of Noblemen.

In the Imperial Court the Chanceries of *Hungary*, *Bohemia*, and *Auſtria* have likewiſe their Places; the Chancellors of which Countries are Members of the Imperial Council of State alſo, and have under them many Secretaries, Aſſeſſors, and an infinite number of other Officers, and particularly that of *Auſtria* by reaſon of the Diverſity of Diſpatches which belong to his Care; for beſides thoſe of the Provinces which obey his Orders, he hath ncumbent upon him the weight of all other Correſpondences of moſt Importance and Conſequence.

Theſe Chanceries keep their particular Form and Stile, and the better to maintain and keep up their Independency from their Imperial Chancery, as this refuſeth to give whatſoever Perſon any Title or Appellation, that hath not been granted by a ſpecial *Diploma*, and ſpecified in it, by the due Payment of the Tax, and pretended Fees; ſo the ſaid Chanceries will not honour any body by the Title procured from the Imperial

Imperial Chancery, or elſewhere, unleſs their Aſſeſſor, or Taxator be firſt ſatisfied; yet there is an Obligation as well upon them as the Imperial Chancery, to content themſelves with the Moiety of the Tax, from all actual Servants of his Majeſty, and by him inveſted with any Privilege.

Moreover there reſides in *Vienna* another ſupreme Tribunal, called the *Regimento* of the Inferior *Auſtria*, directed by the cheif Head or Preſident thereof, now at preſent the Earl of *Starembergh*, with the Title of *Great Holdenor* Governor of *Vienna*, who is of the Council of State alſo: This Court or Tribunal is compoſed of three diſtinct Aſſeſſors, of the Order of Nobles, Knights, and learned Men, determining therein all Cauſes both Civil and Criminal; and unto this Juriſdiction are ſubject all the States of the *Inferior Auſtria*, both Eccleſiaſtick and Secular, and all ſorts of Religious Men whatſoever; the Office of the *Vicedom* which is the *primum Mobile* of thoſe Cities, and Towns that are now ſubject to any particular Perſon: The Office of *Handgraff* who is the Judge of Merchants, and Handycraft Men, for what relates to their Trades; the Magiſtrate of *Vienna* divided into Interior and Exterior, under the care of the Burgomaſter; the criminal Court of the ſaid City governed by the *Stadt Rickter*, *alias* the *City Judge*; and ſo likewiſe all ſorts of Tribunals, both Nobles, and Plebeans within the Precinct of the *Inferior Auſtria*; all which have the Privilege of appealing to the ſaid *Regiment*, and by that means ſuch Perſons as find themſelves aggrieved, the Permiſſion and Grant of the Emperor, and of his Chancery firſt obtained, may procure the Remedy of Reviſion, provided they depoſite a Sum of Money for the Fees, as 'tis uſual likewiſe in the *Imperial Aulick Council*, and other ſupreme Tribunals.

Amongſt the great Offices of Court, next to that of *Maior-domo Major* is the Lord Chamberlain, at preſent

preſent the Earl of *Lamberg*, whoſe Duty it is to aſſiſt continually and wait on his Imperial Majeſty's Perſon, and to take care of the Antichambers that they be not fill'd up with all ſorts of People; the firſt being only appointed for Pages, Doctors, Muſicians, and other of the like Character; the ſecond for the Gentlemen of Ambaſſadors, Counſellors, Secretaries, *Adjutantes de Camera*, and others; the third for the Lords, *Trouchſes*, and Miniſters of Princes; and the fourth for Ambaſſadors, Princes, and Privy Counſellors, which latter aſſemble in this Room, and 'tis here that his Imperial Majeſty uſes to give Audience: In the third his Majeſty dines upon all the Feſtival Days; but on thoſe two ſolemn Feaſts of *Chriſtmas* and *Eaſter* he dines in the firſt called the *Ritter Stuben*, at which time are in waiting the *Truchſes*, or Gentlemen Sewers that are under the immediate Orders of the *Majordomo Major*, together with the *Stall Maſter*, or *Cavallerizzo Major* (which is as *Vice-Majordomo Major*) and bring the Diſhes to the Emperor's Table, which out of thoſe ſolemn Seaſons are brought in by the *Cameriers*, and Pages of the back Stairs or *Adjutantes de Camera*, of whom the aforeſaid Lord Chamberlain is the ſupreme Head. The ſaid *Cameriers*, being in number above 300, enjoy many Prerogatives, though without any Salary, for beſides their having free Acceſs at a certain Hour of the day into his Imperial Majeſty's Cabinet, they have the right Hand (as has been already obſerved) and the Title of *Illuſtriſſimo* given them by the Royal Ambaſſadors in their own Houſes, and have the Precedence of all Lords and Reſidents, or other Miniſters of Princes whatſoever; they only are capable to be admitted to all Feaſts and Torneaments that his Imperial Majeſty thinks to celebrate; and for a Badge of their Office or Place, carry hanging about their Waſt a golden Key, which opens almoſt all the Doors of the Palace,

and

and they are bound under the Penalty of Two thouſand Crowns to keep it ſafe: The Service that theſe *Cameriers* give requires great Attendance, for they are not only obliged to wait with Aſſiduity on their Maſter, and carry the Diſhes to his Table morning and night; but they muſt ſerve and wait on him, two every Week interchangeably in his Bed-chamber, day and night, dreſſing him, and undreſſing him, with the Aſſiſtance of two *Adjutantes de Camera*, who for Diſtinction carry hanging to their Waſts a black Key like the golden one, and theſe are not Nobles. Two other *Cameriers* at the ſame time attend at the Table, carving, and giving his Majeſty the Cup; and in this manner the Lord Chamberlain changes, and diſtributes amongſt them the Service all the year round. But thoſe that are employed in Charges of Counſellors, or have any other important Poſts, are not obliged to do thoſe Services: For their Salary they ſhould have about a thouſand Crowns of Silver a year, but out of a point of Grandeur they refuſe to accept it, as likewiſe free Quarter, and free Table: 'Tis true indeed, that an open Table, and that a very good one too, is always kept for them, unto which, when the Court is in *Vienna*, few or none of them go, except thoſe that are actually in waiting; but when the Emperor is in the Country, or a Hunting, the ſame Table is always very full, and many Lords and Gentlemen Strangers, that at that time ſhould be at the Court, are often invited to it. The *Trukſes* have Two hundred Hungars a year, and the *Adjutantes de Camera* Four hundred Guilders: Beſides all the abovementioned *Cameriers*, *Adjutantes de Camera*, and Porters, the Officers of the Wardrobe, * *Trabants* of the Chambers, and others of inferior Rank are under the Juriſdiction of the Lord Chamberlain.

* *Who reſemble our Yeomen of the Guard.*

The Maſter of the Horſe, or *Cavallerizzo Major*,

now the Earl of *Dietrickſtein*, is Counſellor of State alſo, and hath under his Care and Juriſdiction 24 Imperial Pages, all Nobles, who are provided with a *Maiordomo*, *Preceptor*, Maſters of Languages, of Fencing, Dancing, *&c.* as likewiſe the Grooms, Stables, and breed of Horſes, both in *Bohemia* and elſewhere, and twelve *Staffiers*, or Footmen.

His Imperial Majeſty hath beſides, two Captains of his Guards that never abſent themſelves from his Side when he appears in Publick; one of them (who is the Earl *Francis Aguſtino de Walleſtein* great Bailiff of *Malta*) hath the Command of the Company of *Archers* to the number of 50 Men, who wait on his Majeſty out of the City on Horſeback, with Carabines, and in the City a foot with an Halberd in the form of a great long Knife upon their Shoulders, which ſort of Arms are uſed in *Germany* by the Emperor only, and for their yearly Salary they have 200 Guilders paid them, and free Quarters. The other (who is Prince *Gilbert Pio* an *Italian* of *Ferrara*) is Captain of the Company of *Trabants*, diſtinguiſhed from the *Archers* not only by their Liveries and Habits, but by their Arms alſo, which are made in the form of an Halberd: Their yearly Salary is 70 Guilders, with free Quarters.

The *Lord Maſter of the Game*, or *Cacciator Maggiore*, who is the Earl *D'Etting*, makes a very conſiderable Figure in the Imperial Court, as likewiſe the *Lord Falconer Major*, who is the Earl of St. *Gylian*, for the great Authority they have over all the Woods, and Foreſts of the *Inferior Auſtria*, and for the incredible number of Huntſmen of all ſorts, who receive their Orders from them; it being a common Report that his Imperial Majeſty ſpends above Fifty thouſand Dollars a year in Hunting, and One hundred thouſand Dollars a year in Muſick: In Hunting there are abundance of Ceremonies, and Formalities

lities uſed, and whoever violates them, as for inſtance, either by not uncovering at the ſounding of the Trumpets, or not drawing his Sword in time, or elſe naming any part of the Game by a different Term than what is preſcribed by the Huntſman's Dictionary, ſuch a Delinquent has ſeveral Blows upon the poſterior Parts given him by the Emperor himſelf with a great Knife five Fingers broad.

There is beſides theſe the ‖ *Credentier Major*, a place of great Dignity and Reputation, poſſeſſed at preſent by the Earl of *Mollart*, and the Comptroller of the Kitchin, who is the Earl of *Alltemps*; both which Places uſe to be conferred on his Majeſty's *Cameriers*, and the Perſons that enjoy them have great Authority over their Deputies, and Subſtitutes, though ſubordinate to the *Maiordomo Major*. ‖ *The Emperor's Taſter.*

His Imperial Majeſty after the Example of his Predeceſſors, wears the Collar of the Order of the Golden Fleece, given him by the Catholick King, in whoſe Name the Emperor, with the Conſent of *Spain*, uſes to confer it on ſeveral of his principal Miniſters, who wear it at ſolemn Feſtivals, Proceſſions, and ſuch like publick Occaſions or Aſſemblies, when they wait on the Emperor, and take place according to Seniority, without any Obſervation of Quality, or Condition. Upon any of the aforeſaid days of Solemnity they give Precedence to none but to Royal Ambaſſadors, to the Biſhop in his Pontifical Habit, and to the Rector of the Univerſity.

Adjoining to his Imperial Majeſty's Court is that of her Imperial Majeſty the Empreſs, the prime Officer whereof is the *Maiordomo Major* (who was the Prince of *Dietrickſtein*, one of the Emperor's Privy Council) his place being to lead or give the Arm to the Empreſs, and look after the Government of her Family, which conſiſts of Secretaries, a Jewel-keeper,

Wardrobe Officers, Porters, Pages of the back Stairs, or *Adjutantes de Camera*, and other inferior Officers. The Women are not immediately under the Juriſdiction of the ſaid *Maiordomo*; but that of the *Cameriera Major*, or Lady Chamberlain, under whoſe Command are 15 *German* Ladies of Honour, with a Lady their *Maiordoma*. Amongſt theſe Ladies two of them carry the golden Key, and have the Honour to cloth and dreſs the Empreſs their Miſtreſs, in which they are aſſiſted by the Women of the Chamber, who are ſix, beſides abundance of other Women and Servants, whoſe number is infinite; the ſaid Ladies of the Empreſs enjoy high, and notable Privileges, for as the *Cameriera Major* giveth place to none except to Sovereign Princeſſes, and Ladies of Royal Ambaſſadors; ſo the *Maiordoma Major* of the Ladies of Honour hath the Precedence of the Counſellors of State's Wives; and the ſaid Ladies of Honour take the right Hand of all the Wives of the Emperor's *Cameriers*, and of all other Lords. At the Marriage of any one of them, they uſe to be complimented by the Court with 2000 Florins for their Portion, beſides Jewels, which at his, and her Imperial Majeſty's Pleaſure they are preſented with; and on the Wedding-day both the Bride and Bridegroom have the Honour to eat at their Majeſty's Table, provided the ſaid Bridegroom happens to be one of the *Cameriers* of the golden Key: The ſaid Ladies of Honour ſerve at Table whenever the Emperor eats at the Empreſs's Apartments or Quarter, and on ſuch Occaſions the Lady, that is in waiting, gives Water to their Majeſties to waſh their Hands, and the *Camerera Major* the Napkin: On the other Hand, this Office in the Emperor's Quarter, is performed by the Waiting *Camerier*, and the Lord Chamberlain; but when there are any Strangers of Princely Quality the ſaid Lord Chamberlain allows them the Honour of giving the Napkin to their Majeſties.

Her

Her Imperial Majeſty the Empreſs *Eleonora Gonzaga Princeſs of Mantoua* keeps another Court apart by her ſelf, compoſed for the moſt part of Perſons belonging to that of the Emperor, for out of the Counſellors of State are ſtill choſen thoſe that have had the place of *Maiordomo Major*, who is at preſent the Earl of *Zinzendorff*, and out of the numerous Body of the *Cameriers*, his Majeſty makes Choice of the *Cavallerizzo Major*, who is Earl *Charles* of *Walleſtein*, and the Earl of *Finffkirken* is Captain of her Majeſty's Guards of *Archers*, and *Trabants*, who are about 40 in number. The twelve Gentlemen of the Chamber, the *Credentier Major*, and the Maſter Cook, together with the Secretarys, Pay-maſter, Wardrobe Keeper, 12 Adjutants of the Chamber, Porters, Guardian of the Dames, Butlers, and other Servants are under the Juriſdiction of the aforeſaid *Maiordomo Major*. The *Cavallerizzo Major* nevertheleſs keeps himſelf independent, in the ſame manner as that of the Emperor is, and hath under himſelf 12 Pages, all Lords by Birth, and abundance of Officers belonging to the Stables, and ſix Footmen; the ſaid Empreſs's Majeſty keeps beſides a Chapel provided with moſt excellent Voices, inſomuch that though it be far inferior in number to that of the Emperor, yet it does not fall much ſhort of it in the Excellence of the Performers. The *Camerera Major* of the ſaid Empreſs *Eleonora* enjoys the ſame Prerogatives, and Authority as the other before mentioned, and hath under her 12 Noble Ladies of Honour, with their *Maiordoma*, and a certain number of Women of the Chamber, and other Servants, attending upon her Majeſty's Service, in manner above mentioned. Theſe Ladies have all the Privileges and Advantages that all the other Ladies enjoy, neither is there any other Difference between them and the Ladies of the Regnant Empreſs, but this, that when any Lady of Honour

belonging to the Empreſs Mother comes to be married, they do not conſummate the Marriage in the Palace, as thoſe of the Empreſs Regnant do.

With what incomparable Reſolution, Steddineſs, and Prudence the aforeſaid moſt Auguſt Empreſs *Eleonora* managed all Affairs during the time of her Widowhood, amongſt ſo many threatning Tempeſts of enraged Factions, which then attacked and ſtill continue to attack the Interior Parts of the Government; with what Application and Conduct ſhe maintain'd a ſupreme Authority among all the Miniſters of State, won the Emperor's Affection, no leſs than that of his Empreſs and her Party, I ſhall not here preſume to relate, much more to attempt her Panegyrick, which I muſt leave to ſome abler Pen; neither ſhall I here ſtop ſhort to deſcribe the Families of the moſt Serene Archdutcheſſes, *Maria Joſeffa*, and *Maria Anna*, one the Daughter of *Cæſar*, and the other her Step-Siſter by the ſame Father, though not Mother, being Daughter of the ſaid *Moſt Auguſt Eleonora*, who was the third Wife of the Emperor *Ferdinand* III.

I ſhall now apply my ſelf to give your Majeſty an Account of all the Imperial Feudataries of greateſt Note in *Italy*; and ſhall begin with the State of *Milan*, the Inſtalment of which Dutchy as well as of the State of *Siena* the Catholick King receives from the Emperor, giving the Subinſtalment of the latter to the Great Duke of *Tuſcany*, whoſe Highneſs is alſo accounted amongſt the Emperor's Vaſſals for *Ponte-Mole*, and other Feuds which he poſſeſſes in the *Lunigiana*: The Duke of *Savoy*, in reſpect of that Dutchy, is comprehended amongſt the *German* Princes, with whom he likewiſe concurs in the Contribution of the Monthly *Roman* Payment as much as any Elector, but as Prince of *Piedmont*, and Duke of *Avoſta* he is reputed an *Italian* Potentate, Feudatary of the Empire.

The

The Houſe of *Gonzaga*, as well for its ancient Extraction, as for the Quality, and Quantity of its Princes, that under the Protection of the Imperial Eagle flouriſh in *Italy*, is very Conſpicuous; the Chief of it is the Duke of *Mantoua* and *Monferrat* both Imperial Feuds; the next to him is the Duke of *Guaſtalla*, and the reſt are the Duke of *Sabioneta* Prince of *Bozzolo*, with the Princes of *Caſtiglione*, *Solferino*, and *Veſcovato*, as alſo the Earl of *Novellara*, all inſtalled by *Cæſar*.

The Duke of *Modena*, of the moſt ancient and illuſtrious Family of *Eſte*, derives from the Emperor the Sovereignty he enjoys over *Modena*, *Reggio*, *Carpi*, and *Coreggio*, of which Feuds his Imperial Majeſty grants him the Inſtalment together with that of *Rovigo*.

The Duke of *Mirandola* of the *Moſt Noble* Houſe of *Pica* of the *Saxon* Blood, doth likewiſe honour the high Dominion of the *Roman* Empire.

The ſelf ſame doth the Duke of *Maſſa* of the Houſe of *Cibo* that came from *Rome* originally.

The moſt Noble Family of *Malaſpina* pays alſo Homage to *Cæſar*, for the Feuds his Majeſty hath in the *Lunigiana*, where the moſt principal Branch thereof flouriſhes in the *Marquis de Malaſpina de Foſdinovo*, and *Gragnola*, after whom are accounted the Marquis of *Podenzana*, with thoſe of *Suvero*, *Olivola*, *Liciana*, *Mulazza*, *la Baſtia*, *Treſchietto*, *Villafranca*, and others.

In the ſame *Lunigiana* there is (beſide the abovementioned Feuds of the ſaid *Malaſpina*'s) *Ponte-mole*, *Fivizano*, and others poſſeſs'd by the Great Duke of *Tuſcany*; *Treggiana* granted to the Marquis *Corſini* of *Florence*, and *Malgrato* adjudged to the Earl *Stanga* of *Cremona*.

In *Lumbardy* there is the Dukedom of *Deſara* belonging to the Houſe of *Tizzona* of *Vercelli*; the

Earldom of *Rocca d' Arazzo* belonging to the Lords *Oſaſcky*; the Earldom of *Macagn* to the Houſe of *Mandella* of *Milan*; the Earldom of *Ruolo* to the Family of *Seſſi* of *Reggio*; and the Earldom of *Frinchi* to the Houſe of *Mazzetti*, and that of *Gatold* in the Dominion of *Mantoua*, with *Retegno* to Prince *Trivultio*.

In *Liguria* there is the Marquiſate of *Zuccarello*, the Inſtalment whereof belongs to the Republick of *Genoua*; that of *Final* to the Catholick King; the Marquiſate of *Turiglia* to Prince *D' Oria*; the Marquiſate of *Pallavicino* to the Family of *Botta* of *Pavia*; the Marquiſates of *Arquata*, and *Roccaforte* to *Philip*, and *Neapolion Spinola*; the Marquiſate of *Spigno* to the Houſe of *Aſinari*; the County of *Taſſarolo* to another *Spinola*; that of *Milleſimo* to the Houſe of *Caretti*; that of St. *Chriſtopher* to *Charles D' Oria*; *Savignone* to the Houſe of *Centurioni*, *Francavilla*, *Campi*, *Mongrardino*, *Vergagn*, and other Lords of *Spinola*; *Moglia* to the Family of *Scarampi*.

For a Concluſion of this my Relation, I have judged it convenient to add a ſhort Account of the Genealogy of the moſt eminent Princes of *Germany*, beginning with that of the *Moſt Auguſt Houſe of Auſtria*, which for many Ages hath been poſſeſſed of the Imperial Dignity; the preſent *Leopoldus*, being the thirteenth of this Race that has held the Imperial Diadem: This Family, which has got more by their Marriages than any in the Univerſe ever did, derives its Origin from the *Roman* Family of *Anizia*, one of whom, *Albertus* by name, having married the Daughter and Heir of the Earl *Ottone d' Hapsburgh*, deſcended from the ancient Kings of the *Franks*, ſucceeded him in his Eſtates in *Helvetia* and *Alſatia*. *Rodolphus*, the *Roman* Emperor, and his Poſterity came poſſeſſed, by way of Marriage, of the Provinces of *Auſtria*, *Stiria*, *Carinthia*,

Carinthia, *Carniola*, *Tirol*, and *Goritia*, or *Gortz* *Maximilian* the Emperor had likewiſe *Burgundy* and the *Low Countries* for his Portion, and *Philip* I the vaſt and opulent Kingdom of *Spain*; *Ferdinand* II. having puniſhed the Rebels with his Arms, made the Crown of *Bohemia* hereditary to the Houſe of *Auſtria*; and it has been the good Fortune of the preſent Emperor to reduce under the ſame Subjection the Kingdom of *Hungary*, that part of it, I mean, which was not ſubject to the *Turk*.

The Counts *Palatine* of the *Rhine* boaſt their ancient Deſcent from *Arnolphus* King of the *Bavarians*, Nephew of the Emperor *Arnolphus*, who was *Charles* the Great's Great Grand-Child; this Houſe is at preſent divided into ſeveral Branches, the chief whereof is the Elector Palatine of *Heidelberg*, a Prince for Extent of Dominion and Force far inferior to his Anceſtors, the Limits of his Juriſdiction being reduced within the Confines of the Inferior *Palatinate*; the ſecond Branch is the Elector Duke of *Bavaria*, a Prince conſiderable both for his Wealth and the Largeneſs of his Territories, for beſides his Paternal Inheritance of *Bavaria*, he is poſſeſſed of the Superior *Palatinate*, given to him by the Treaty of *Munſter*. Of the ſame Family is the Elector of *Colen*, and the Biſhop of *Ratisbone* his Brother; the third is the Palatine of *Newburg*, who beſides his Revenues in *Bavaria* and the Upper *Palatinate*, enjoyeth the Dukedom of *Juliers* and *Monte*, with the County of *Ravenſtein*, from all which he doth not draw any conſiderable Revenue, by reaſon of the great Charges that his Highneſs muſt be at, for the Maintenance of his Garriſons and Governors; the Duke of *Deuxponts*, and the Palatines of *Birckenfeldt* and *Sultzbach* are likewiſe Princes of this Houſe, and though of no great Revenues and leſſer Forces, yet it muſt be ſaid for their Honour, that the King of *Sweden* is deſcended from the ſame Family.

The

The Modern Elector of *Saxony*, with the Dukes of his Houſe, is lineally deſcended from *Timon* Marquis of *Miſnia*, inſtalled by the Emperor *Henry* IV. in the Year 1075: The ſaid *Timon* being Great Great Grandchild of *Videchindus*, ſecond Son of *Videchindus* firſt King of the *Saxons*: The firſt of this Houſe, that obtained the Electorſhip, was *Frederick Bellicoſus* in 1423, who received it from the Emperor *Sigiſmund* after *Albertus* the laſt of the Houſe of *Aſcanien*: The Elector *John Frederick* was depoſed by the Emperor *Charles* V. and the Dignity transferred to *Maurice* Son of *Frederick* II. Duke of *Saxony*, and of *Margaret* of *Auſtria*, who was deſcended from *Albertus* Nephew of the ſaid Elector *Frederick Bellicoſus*; from this *Maurice* in a direct Line proceeds his Great Grandchild *John George* the ſecond the Elector now living, a Prince, who making it his ſole Buſineſs to excel in the Performances of *Bacchus*, leaves, in a manner, the whole Adminiſtration of all his States to the Management of his Miniſters: But the moſt conſiderable Diminution this Family has ſuſtained, has proceeded from its Lands being divided among ſo many of the younger Branches, as the Duke of *Quernfurt*, as likewiſe the Houſes of the Dukes of *Saxen Altenburg*, *Coburgh*, *Weimar*, *Gotha*, and *Eyſenach*, deſcended from the aforementioned Elector *John Frederick* depoſed by *Charles* V. which is the Cauſe that the Credit of this Duke's Forces is much weakened, though he ſtill poſſeſſes the Superior *Saxony*, *Miſnia*, *Thuringia*, and *Luſatia*, all very conſiderable Provinces.

The Elector of *Brandenburgh* owns himſelf allied to the Marquis of *Culmpack*, and **Onolzback*, and his Family comes from *Frederick* firſt Earl of *Hoenzollern*, who bought of the Emperor *Sigiſmund* the Electorate, and Marquiſate of *Brandenbergh* for 400 thouſand *Hungars*, or Ducats of Gold

* *al.* Onſpach.

Gold; to raiſe which Sum he ſold for 180 thouſand Ducats of Gold to the City of *Nurembergh* the Caſtle, and the Juriſdiction of *Burgrave* that he enjoy'd in the ſame City, into which he had been inſtalled by the Emperor *Rodolphus* I. Great Grandfather to the ſaid *Frederick*, and Son of the ſaid Emperor's Sifter: The Eſtabliſher of the Houſe of the Earls of *Hoenzollern* was *Peter Colonna* a Patrician of *Rome*, deſcended from the ancient *Camilli*, who by the Permiſſion of the Emperor *Henry* IV. built the Caſtle of *Zollern* in *Suabia*: The two aforenamed Marquiſſes are Princes more conſpicuous for their Birth, than Forces, their Territories being very ſmall and barren, and are ſituated hard by *Nuremburg*; but the Elector himſelf is a Prince of ſuch Authority and Power, that he is juſtly reputed the moſt Potent of all *Germany*; for beſides a well ordered and refined Policy which he obſerves in his Government, he poſſeſſes the *Marca* of *Brandenburgh*, the farther *Pomerania*, the Ducal *Pruſſia*, the Dukedoms of *Cleves*, *Magdeburgh*, *Minden*, *Halberſtat*, *Croſſen*, and the *Marca* of *Ravensbergh*, all which Countries, though they are not joined together, yet are they reaſonably plentiful and populous.

The Dukes of *Brunſwick* come from *Sigeberto* Marquis of *Eſte*, Brother to *Theobaldus* Prince of *Mantoua*, deſcended from *Actio Navio Augure*, who in the Year 148 lived in *Rome*; *Henry Leon* Elector of *Saxony* of this Houſe, received the firſt Inſtalment of *Brunſwick*, and *Lunenberg* from the Emperor *Lotharius* a *Saxon*; the Princes of *Brunſwick*, that at preſent are living, are the Duke of *Wolfenbuttell*, with the three Brothers Dukes of *Zell*, and *Hanover*, and the Biſhop of *Oſnabrug*, who are all united both in Affection and Intereſt together, which renders them formidable to their Neighbours, and particularly ſince they have increaſed their Power by the

the entire Subjection of the City, and Territory of *Brunſwick*, which formerly uſurped to it ſelf ſuch a Liberty as the other free Cities of *Germany* claim.

The *Landgraves* of *Heſſe* derive their Origin from *Lodovicus* Earl of *Zighenheim*, and *Nidda*, the firſt *Landgrave* of *Heſſe*, created in the Year 1430 lineally deſcended from the Dukes of *Brabant*: This Houſe is at preſent divided into two principal Branches, *viz.* that of *Heſſe Caſſel*, who hath made himſelf potent by the Uſurpation of Eccleſiaſtical Lands and Revenues, and that of *Darmſtat* of leſs Authority and Power: From the ſame Branch comes the *Cardinal Landgrave*, with Prince *Erneſtus* and the Prince of *Omburgh*.

The Dukes of *Wirtemberg* challenge for their Anceſtor *Conradus* a principal Miniſter of the Emperor *Henry* IV. by whom he was created firſt Earl of *Wirtemberg*; and the Emperor *Maximilian* I. in the Year 1510 promoted the ſaid Province into a Dukedom, together with the Territories of *Tecken*; This Prince makes no inconſiderable Figure, for though his Dominion is of no great Extent, yet 'tis very fertil, and well peopled.

The Marquis of *Baden* comes from *Hermannus* Marquis of *Verona*, by many believed to have been of the Houſe of *Eſte*, and by others of the Houſe of *Malaſpina*: This *Hermannus* came with the Emperor *Frederick Barbaroſſa* out of *Italy* into *Germany*, where he married *Imuta* Daughter and Heir of the Earl of *Baden*; but becauſe he ſhould ſuffer no Diminution in his Dignity, the Emperor made him Marquis of the aforeſaid Place, and Territory of *Baden*: Ever ſince the Year 1552 the ſaid Marquiſſes have been divided into two Branches, one of which enjoyeth the Territory of *Baden*, and the other that of *Durlach*; both which Juriſdictions are

ſmall

ſmall but very fertil and abounding in People; and touching the Precedence, though before the late Civil Wars of *Germany*, the Lineage of *Baden* took the moſt honourable Place, as deriving their Extraction from *Bernard* Elder Brother of *Erneſtus* Founder of the Family of *Durlach*; now after the Example of the Houſe of *Brunſwick* they have agreed, that the eldeſt ſhall precede the youngeſt; but in their Titles there is ſuch an Uniformity, that as well the Regnant of the one, and the other Family, as the ſecond Brothers are no otherwiſe to be diſtinguiſhed than by their Names.

The Origin of the Family of the Dukes of *Sax-Lawenberg* is very ancient, for their firſt Anceſtors long before our Saviour were Princes of the greateſt part of the *Hercinian* Foreſt, which afterwards *Beringus* abandon'd, to avoid the barbarous Cruelty and Tyranny of the *Franks*, and retiring to *Rome* in the Year 437, he was created by the Emperor *Theodoſius* the younger Prince of *Orſine*; and *Anibertus* one of his Succeſſors, by Order of *Conſtante Filomeno* Emperor of the Eaſt, returning into *Germany*, recovered his ancient paternal Territory, obtaining of the ſaid Emperor the Title of his Vicar in *Saxony*. *Charles* the Great afterwards honoured *Albertus* Great Grandchild of the aforeſaid *Anibertus* with the Dignity of Earl of *Aſcanien* and *Ballenſtedt*, one of whoſe Poſterity, called *Bernardus*, was by *Frederick Barbaroſſa* created *Elector* of *Saxony*, after he had depoſed from that Dignity *Henricus Leon Atteſtinus* Duke of *Brunſwick*, and the Succeſſors of that *Bernardus* maintain'd themſelves in this Poſt with Splendour till the time of the Emperor *Sigiſmund*, when the Electorſhip was transferred to *Frederick* Marquis of *Miſnia*, ſo that the ſaid Princes only remained Maſters of the barren, and ſmall Territory of *Lawenburg*, which their Poſterity enjoy

enjoy to this day, though according to the Cuſtom of *Germany* they bear the Title of the Dukes of *Saxony*, *Weſtphalia*, and *Angria*, common to ſeveral other Princes.

The Dukes of *Mecklenburg* boaſt themſelves deſcended from *Bubiſlaus* Lord of the *Heruli*, and *Genſericus* King of the *Vandals*. There are two Branches at preſent of this Family, that is to ſay, that of *Sverin*, and the other of *Guſtraw*, ſo denominated from the Places of their Reſidence; and although the Territories they enjoy be not deſpicable, nevertheleſs, by reaſon of the Barrenneſs of the Country, and the great Loſſes they ſuſtained in the laſt Wars, the Credit of their Forces is of ſmall Account.

The Dukes of *Holſtein* boaſt themſelves deſcended from the modern Kings of *Denmark*, and as ſuch, they intitle themſelves Heirs of *Norway*; and theſe come from the Earls of *Oldenburg*, † lately extinct; one deſcended from them called *Theodoric* attained to the ſaid States of *Holſatia*, or *Holſtein*, by Marriage contracted with *Hedwig* Heireſs of *Holſtein*, and *Sleſwick*, and from him was born *Chriſtianus* elected King of *Denmark* and *Norway*, Great Grandfather to the late King deceaſed, who by the Emperor *Frederick* III. was created Duke of *Holſtein*: The aboveſaid Earls of *Oldenburg* are deſcended from *Valbertus* Earl of *Ringheſheim*, Nephew to *Videchindus* firſt King of the *Saxons*, and from the Brother of the ſaid *Valbertus*, called *Bruno*, did come the Emperor *Ottone*: The ſaid King of *Denmark* enjoyeth likewiſe a good part of *Holſtein*, *Sleſwick*, *Jutland*, and *Ditmarſh*, all which are Imperial Feuds; the Dukes are diſtinguiſhed into two Houſes, that of *Gottorp*, which is Powerful, and of great Authority, poſſeſſing ſeveral Sovereignties of Conſequence

† *This happen'd in the year 1656.*

Conſequence in the aforeſaid States; and that of *Sunderburgh*, weakened by the infinite Diviſions of ſecond Brothers.

The Princes of *Anhalt* are originally deſcended from the ſame Family with the Dukes of *Lawenburgh*, that is to ſay, from the Earls of *Aſcanien*, one of which Earls, I mean, *Bernardus* Elector of *Saxony* had a Brother call'd *Ottone*, who by the Emperor *Conrardus* was created Marquis of *Lawenburg*, after the Death of *Bubiſlaus*, deſcended from a moſt ancient and honourable Family. This Marquiſate was afterwards ſold in the Year 1400 to the Emperor *Ludovicus* by *Sigiſmund* and *Albertus*, reſerving only to themſelves the ſmall Principality of *Anhalt*, poſſeſſed by the preſent Princes divided into ſix Branches.

The Houſe of *Naſſaw*, that had the Honour to produce the Emperor *Adolphus Naſſovius*, deriveth its Extraction from *Theodoſius Loporeno*, Uncle to *Severus Cæſar*, with whom he came into *Germany*, and married the only Daughter of the *Dynaſt* of *Naſſovia*. Though in Extent of Land and Territory many other Families in *Germany* much exceed it, yet for Antiquity, and the great Merits of the Princes that it has produced, few or none can equal it. The Lineage of the Emperor *Adolphus* is long ago extinct, and there only remains that of the Prince of *Orange*, *Hadamar*, and *Seighen*, and of the Earls of *Sarbruck*, all Lords of inconſiderable Forces.

FINIS.

BOOKS Printed for, and Sold by John Hartley, *over againſt* Grays-Inn *in* Holbourn; *where any Perſon may have ready Money for any Parcel or Study of Books.*

CAtalogus Univerſalis Librorum, in omni Facultate, Linguaque Græca præſertim, inſignium & rariſſimorum ſolum ex Catalogis Bibliothecarum Bodleiana, Lugduno Batava, Ultrajectina, Barbarina, Thuana, Cordiſiana, Telleriana, Sluſiana, & Heinſiana, ſed etiam ex omnibus fere aliis prelo impreſſis, magno labore & ſumptu, in uſum Studioſorum collectus. Cum Indice Nominum Authorum Alphabetico. 2 Vol. Price 12 *s.*

Herodian's Hiſtory of the *Roman* Emperors, containing many ſtrange and wonderful Revolutions of State in *Europe*, *Aſia*, and *Africa*. Alſo their moſt remarkable Embaſſies, Speeches, Antiquities, *&c.* Together with the moſt Solemn Ceremonies uſed at the Deification of the *Roman* Emperors, with a Character of the ancient *Britains*. Done from the *Greek* by a Gentleman at *Oxford*. Price 4 *s* 6 *d.*

The Univerſal Monitor, or a General Dictionary of Moral and Divine Precepts. To which is added, a Table of Duties commanded and Sins forbidden, both in the Old and New Teſtament. A Work as Neceſſary for the Peruſal of Perſons of all Perſuaſions, as it is Uſeful for Publick Schools and Private. Price 2 *s.* 6 *d.*

A Moral Eſſay upon Friendſhip. Written in *Italian* by Cardinal *Bona*, Author of the Guide to Eternity, and Tranſlated into Engliſh from the thirteenth Edition. Price 1 *s.*

The Law *French* Dictionary Alphabetically digeſted; very uſeful for all young Students in the Common Laws of *England*. To which is added, the Law *Latin* Dictionary: Being an Alphabetical Collection of ſuch Law *Latin* Words, as are found in many Authentick Manuſcripts, and printed Books of Precedents; whereby Entring Clerks, and others may be furniſhed with fit and proper Words in a Common Law Senſe, for any thing they ſhall have Occaſion to make uſe of in drawing Declarations or any Parts of Pleading, *&c.* Collected out of the beſt Authors by *F. O.* Price 6 *s.*

Regular and irregular Thoughts, in Poets and Orators: With Directions how to think and write well: Alſo the Verdicts of the Learned concerning *Virgil* and *Homer*'s Heroick Poems. Price 1 *s.*

A Conſolatory Poem, humbly addreſs'd to her Royal Highneſs, upon the much lamented Death of his moſt Illuſtrious Highneſs, *William* Duke of *Glouceſter*. Price 6 *d.*

LETTERS

FROM

My Lord *ARLINGTON*

TO

Sir Bernard Gaſcoyn, *then Reſident at the Imperial Court at* Vienna, *wherein the whole affair of the intended Marriage of the young Archdutcheſs of* Inſpruck *with the Duke of* York *is laid open and diſcover'd.*

Whitehall, March 19. 1672.

SIR,

THIS is the firſt Letter I write to you ſince your leaving us. I have receiv'd two of yours of *February* 23*d* and *March* the 13*th*, the firſt from *Harwich*, the other from *Amſterdam*, with whom we are now fallen out, as you ſee by the enclos'd Declaration of the War, which I thought you would be curious to ſee. There is likewiſe added to it that will tell you better, than I can otherwiſe, what the Succeſs of the late Encounter was in the Channel betwixt ſome of his Majeſty's Frigates, and the *Streights* Fleet of the *Dutch*; where-

in the moſt agreeable Circumſtance to our Family was my Lord *Oſſery*'s happy Eſcape from any hurt, when his Ship was almoſt torn to pieces. The truth is, they believed them Merchants, whom they found to be ſtout Men of War, by which means Sir *Robert Holms* and he had like to have taken a Tartar. I add alſo a late *Declaration* his Majeſty hath made in favour of the *Nonconformiſts*, that we might keep all quiet at home whilſt we are buſie abroad. I have little more News to add, but that the Preparation of our Fleet goes forward with all the Warmth and Application that is poſſible, and that we perſwade our ſelves we ſhall be at Sea before our Enemies. The *Dutch* Extraordinary Ambaſſadour hath been here many Days, and if we can conjecture truly what he brought with him, they were rather Amuſements than any real Satisfaction to his Majeſty, or at leaſt his exceſs of Skill made him appear ſo to us. We look to hear in your firſt what the State of the Empreſſes Health is; Letters from abroad tell us, it is very weak and uncertain ſince the death of the Young Princeſs; and now the Communication of *Holland* is interrupted, you ſhall do well to let us know which way we may direct our Letters to you, to acquaint you with what ſhall happen here, worthy your farther Information or Curioſity. I am

Yours, &c.

Whitehall, April 19. 1672.

SIR,

I Omitted to acknowledge yours of *March* the 23*d* from *Franckfort*, becauſe I hoped I ſhould quickly after hear of your arrival at *Inſpruck*, which I did

did ſome days by Sir *Mark de Ognatis*'s and my Lord of *Oſſery*'s Letters from you before I had any my ſelf. Since I have been made amends by yours of the 5th and 12th currant, aſſuring us of your ſafe arrival, and the good uſage you have had from the Princeſſes there. I have likewiſe had put into my Hands by Monſieur *Farneſi*, the young Princeſſes Picture, much better drawn than the former, and not defaced by any Accident on the way; which beſides the Beauty of it, makes good all the Deſcriptions the World give of her, and it is impoſſible, by all the Rules of Phyſiognomy, but her Mind muſt be anſwerable to it. The Duke anſwers your Letter by this inclos'd, and the King, having read all thoſe you wrote to me of the different Times and Characters, bids me ſignify his Pleaſure to you, That without delay upon the receit of this, having adjuſted all things in that Court, as your Inſtructions directed you, you proceed on to the Emperour's to do the like there: And whilſt you are preparing to make his Royal Highneſs happy one way, he is endeavouring it another by his indefatigable Application to get the Fleet to Sea. Our Eaſineſs to let Merchant-Ships go abroad in the beginning, ſo to drive on the Trade as well as the War, hath made us fall ſhort of our Account for Seamen, but we hope a few Days more will ſupply them; and ſome Day next Week the King and Queen reſolve to give the Duke a Viſit before he goes to Sea, and when the *French* Fleet ſhall be joined with him, under the Bleſſing of God, we ſhall think we have a fair Game.

The Spaniſh Ambaſſador made his ſplendid Entry on *Saturday* laſt, and on *Tueſday* had his publick Audience. He is in a great Equipage, and looks as if he would ſtay ſome time with us; and

although he hath a little too much of the *Gallic* for this Northern Country, yet I am much deceived if he do not in ſome time gain a great deal of eſteem and good will here.

Our laſt News from *Madrid* inſinuates to us a diſlike of ſome of the *Conde de Monterey*'s proceedings, as if he had drawn that Court faſter than the Affairs ought to have advis'd him, and the Marquis *del Freſno* doth not contradict this opinion. What the conſequence of it will be I know not, but I am perſwaded that *France* will not break with *Spain* unleſs ſenſibly provok'd to it.

My Lord Ambaſſador *Coventry* writes me word of the 3d Currant that he had happily ended his Negotiation, and was coming away. I have ground to believe, that Sir *William Lockhart* will be with the Princes of *Brandenburgh* and *Lunenburgh* before they are agreed with the *Hollander*, whatever they do afterwards. By this Scheme you ſee the Mortification of *Holland* as probable by Land as by Sea. God ſend it quickly, that we may have a ſhort War, and that the Princeſs may never ſee a Second here, and be in all Circumſtances elſe as happy as I wiſh her. I am

Yours, &c.

Whitehall, May 10. 72.

SIR,

I Have three Letters of yours before me to acknowledge, of *April*.... and 26th and 3d inſtant. My abſence from hence on the Poſt Days, by attending his Majeſty firſt to *Sheerneſs*, and ſince to *Portſmouth*, hath caſt me into this arrear, but I hope it will not be offenſive to you, becauſe I find

find in your laſt you had not then received his Majeſty's Orders for your going to *Vienna*, towards which Court I ſuppoſe you now in your way, and without further delay, I promiſe you the next Week ſhall carry you thither a Letter from Prince *Locovitz*. I cannot now enter into the detail of your Letters, becauſe our Minds are full of a Rumour, ſpread this Evening, that the Fleets are engag'd. On *Tueſday* laſt, by his Majeſty's command, I happened to be on Board his Royal Highneſs, lying out at Sea beyond the *Iſle of Wight*, when the *French* Fleet joined with him, which was not only a very fine ſight, but a moſt welcome one; that Force having rendred us (as we computed) much ſuperiour to the *Dutch*, towards whom his Royal Highneſs purpoſed to ſail the next Morning. Our News laſt Night from *Dover* ſaid, they were retired, and lay in *Calais* Road, making towards their own Coaſt. This Night Letters from *Portſmouth* ſay, they heard great Shooting Yeſterday in the Afternoon from Three to Seven in the Evening, if ſo, our Fleet had engaged the Rear of theirs; God ſend us good Succeſs. I am

Yours, &c.

Whitehall, May 13. 72.

SIR,

ACcording to my Promiſe on *Friday* laſt I herewith ſend you my Letter to the Prince *de Locovitz*, recommending you and your Buſineſs in his Majeſty's Name to his Excellence, and adding thereunto only all my Complements, all which you will pleaſe to enlarge upon as you ſhall ſee cauſe. I have no News to add to my laſt, for the

Winds continuing *E.* and *N. E.* all his Royal Highneſs hath been able to do with the Fleet ever ſince *Wedneſday* laſt, hath been only to go from the *Iſle of Wight* to *Rye*; the *Dutch* Fleet being in the ſame Diſtreſs before them about the *Goodwin* or *Long Sands*, and yet in Security enough, that they cannot be overtaken; and ſince nothing were ſo eaſie for them as to come to us, you may conclude, they have no mind yet to fight us. I have ſent the Archdutcheſſes Letter to his Royal Highneſs. I am

Yours, &c.

P. S.

Yeſterday Mr. *Roſs* Secretary of the Embaſſy to Mr. *Coventry* arriv'd here with the Treaty concluded and ſigned. The Scope of it is a Nutrality toward this Quarrel we have with *Holland*, but a Promiſe to enter into an Offenſive War on our ſide, in caſe the Emperour or any of the *German* Princes aſſiſt our Enemies; which it is very much believed will contribute much towards the allaying the Elector of *Brandenburgh*'s Warmth towards them.

My Lord of *Sunderland* hath had his Letters of Revocation ſome time ſince ſent him, ſo we may conclude him on his way thence.

Whitehall, June 28. 72.

SIR,

IN the Abſence of my Lord *Arlington*, who is ſent by his Majeſty into *Holland*, I have receiv'd two of your Letters directed to him of the 9th and 16th of *June*. I have here enclos'd ſent you the King's Letter to the Empreſs Dowager; if the Duke had not been gon to Sea, you ſhould have had alſo one

from

from his Royal Highneſs to her, and another to Prince *Locovitz*, but you muſt make the beſt excuſes you can for them in regard of his Abſence; but here incloſed you will receive one from his Royal Highneſs to your ſelf. In one of your Letters we receiv'd a Copy of a Letter written from *Spain* to the Archdutcheſs; I wonder to ſee ſuch Exceptions made in that Court. I am ſure it is more their Intereſt now than ever, to promote and haſten this Match, for this is a time that *France* would make any Conditions with us for the Duke to match at their Recommendation, but I hope your Succeſs will hinder any ſuch Propoſition.

Whatever you diſburſe to thoſe two perſons you mention, you may be aſſured ſhall be reimburſed to you.

The Duke went to Sea on *Wedneſday* laſt the 26th Inſtant, and has a greater Force with him than when he fought laſt, but I hope there will be no occaſion to make uſe of it, for we are in great expectation of a good Peace by our Plenipotentiaries, who are the Duke of *Buckingham*, the Duke of *Monmouth*, my Lord of *Arlington*, and my Lord *Hallifax*. I am with all reſpect and truth

Yours, &c. *Clifford.*

Whitehall, July 17. 72.

SIR,

THIS is only to acknowledge the receit of your Letter of the 7th Inſtant, for I ſhall leave it to my Lord *Arlington* to give you further Directions in your Negotiation. He is expected to return hither to Morrow or next Day at fartheſt; as to your Affair, I ſhall only tell you, That my

Lord *Peterborough* came four Days agoe from the Fleet, ſent hither by his Royal Highneſs to be diſpatcht to *Vienna* his Majeſty's Ambaſſadour Extraordinary. I cannot tell you by what time he will be ready, becauſe he will not fall under my lot, for the diſpatch of him.

Our Plenipotentiaries return without making Peace. The Prince of *Orange*, and the *Hollanders*, think both our Demands and the King of *France*'s too high for their conſenting to them yet, ſo that the War goes vigorouſly on both by Sea and Land, though his moſt Chriſtian Majeſty be returning to *Paris*. The great Artifice of the *Hollanders* was, to cauſe Jealouſies, and then to divide the two Kings, and they have uſed great Art in it, but have been ſo far from prevailing, that they have been the cauſe of uniting more and more the Affections of them; and I do aſſure you, there was never ſo much Confidence in one and the other of each others Proceedings as at this preſent, which in my Opinion, ſhould be a great cauſe of that Court where you are to haſten your Negotiation, till that Confidence grow too great alſo in other Matters.

The Duke is now at Sea, as far *North* as the *Dogger Bank*, which is a good ſtation to look after the *Dutch Eaſt-India* Fleet, who are not yet returned, and we have no account of them, but that they are ſtill on their way homewards; and we believe it the more, for that *de Ruyter* is alſo put to Sea with all the Men of War they could get ready, which are about Sixty Sail, but we hear very ill Mann'd. The Duke hath every whit as good a Fleet as when he fought laſt; with this you have all our News. I am

Yours, &c. *Clifford.*

SIR,

Whitehall, July 26. 1672.

SIR,

MY going from hence was ſo ſudden and unexpected, that I had not time to give you an account of it, nor to acknowledge ſome of your Letters I had then before me, particularly thoſe relating to ſome furious Queſtions you had made to learned Men, before your arrival at *Vienna*, which I put into his Majeſty's Hands, who bad me tell you, he had totally diſmiſs'd the Occaſion of them; and conſequently enjoyned you to put a period to any further Enquiry in that kind.

During my abſence from hence, my Lord *Clifford* was charged with receiving and anſwering your Letters, which he accordingly did, and I make no doubt, but his arriv'd ſafely at your Hands: Being abroad, I know not how handed to me, I receiv'd two of your Letters, the latter of which bore date the 14th *S. N.* as likewiſe a ſingle Paper, bearing date the 7th, all in Cypher; this containing an Overture to his Majeſty of the Advantages he might have in uniting himſelf to the Emperour, the Elector of *Brandenburgh*, &c. in aſſiſting the *Hollanders* to a good Peace, which is ſo inconſiſtent with all our preſent Meaſures, that he can make no uſe of it: The other two mention'd the arrival of the Prince *d'Anhault*, and his Propoſitions to the Emperour's Court; the latter aſſured us of their being accepted of, notwithſtanding their firſt Difficulties, and finally, his Imperial Majeſty's Reſolution to joyn 18000 Horſe and Foot to the ſaid Elector's Troops now marching to the Aſſiſtance of the *Hollanders*; and that the *Conde* of *Monterey* would

would likewiſe add a Body thereunto, for the ſame purpoſe, which we are ſorry to hear of; not that we fear the Reviving of the *Hollander* thereby, from their deſperate Condition; but, that in all probability, unleſs a Peace ſpeedily follows, this will open a War between the two Crowns of *France* and *Spain*, and infinitely embarraſs us, who are more ſtraitly than ever united with the former, and would not willingly break with the latter.

The other part of your Letter of the 14th gives us but an uncomfortable Proſpect of the probability of your ſucceeding for his Royal Highneſs; the *Spaniſh* Ambaſſadour, and the Miniſters Anſwer there to you, upon that Subject, being ſo cold and uncertain; for which reaſon his Majeſty, immediately upon my return hither, took it into his Conſideration, whether he ſhould encourage the diſpatch of my Lord *Peterborough* to that Court, and reſolv'd in the Negative, reſorting to the Fundamental Point in your Inſtructions, wherein it was determin'd, that he ſhould not go with the danger of being refus'd, ſo that, till you can be confidently aſſur'd the Propoſition of Marriage with his Royal Highneſs ſhall be accepted of, and ſufficiently notify'd here, his Majeſty would, by no means, ſuffer his Lordſhip to put himſelf into any Preparations for his Journey: Now becauſe it hath been divulged here, and not diſown'd by the Marquiſs *del Freſno* himſelf, that he had taken Umbrage at his Majeſty's not having ſpoken warmly to him ever ſince his arrival here, of his deſire to ſee this Match brought to effect for his Royal Highneſs; His Majeſty hath thought fit, ſo explicitly to declare himſelf to the ſaid Ambaſſadour upon that Subject, that he reſts aſſured now of his Majeſty's earneſt deſire therein, and hath promis'd by this very

very Poſt, to notifie the ſame ſo effectually to the Marqueſs *de los Balbaces* at *Vienna*, that no pretence may be left for his Heſitation thereupon. Accordingly his Majeſty commands me to ſignifie his Pleaſure to you, in the cleareſt Terms I can, and free from all manner of reſerve, that without delay upon receipt hereof, you preſs his Imperial Majeſty, and his Miniſters, to a clear Determination, and Categorical Anſwer, whether they will give the young Archdutcheſs of *Inſpruck* in Marriage to his Royal Highneſs, in what time it ſhall be made effective, and upon what Conditions, according as you are more particularly directed by your Inſtructions. His Majeſty's further Pleaſure is, that if you receive an ambiguous and dilatory Anſwer herein, you take your leave upon it; but, if on the contrary, the Propoſition be ſo entertain'd, that you perſwade your ſelf, it will quickly take effect; upon knowledge thereof, his Majeſty will without delay, diſpatch my Lord of *Peterborough* in the quality of his Extraordinary Ambaſſadour; by this, I hope you will find your ſelf ſufficiently inſtructed in this matter.

His Royal Highneſs lies with the whole Fleet about the *Dogger Bank*; he is, God be thanked, in perfect Health, and the Fleet in a very good Condition, notwithſtanding all the late Fowl Weather, and the Confident Lies rais'd in *Holland*, of great Shipwracks made of them upon their Coaſt, two Ships only have been ill-handled by the ill Weather, *viz.* one *Engliſh*, and one *French*; the former came into *Alborough*, and the other to *Portſmouth*.

I am, &c.

SIR,

Whitehall, Auguſt 30. 72.

SIR,

EVer ſince the receipt of yours of the 10th of *Auguſt*, mentioning amongſt other Points you have in Treaty with the Miniſters there, that of the Portion, which you compute will amount to Seventy thouſand Pound Sterling, we have expected his Royal Highneſſes arrival; for which reaſon, and for that the Summ is much ſhort of what was talked on at firſt, his Majeſty thought fit he ſhould be conſulted in it, and he arriving with the whole Fleet in the River the laſt Week, I followed his Majeſty thither, although indiſpoſed with a touch of the Gout, there I expoſed to his Royal Highneſs the whole matter, who liked very well the State it was in, and hopes you will quickly put a good End to your Negotiation, eſpecially when you have receiv'd his Majeſty's preciſe Pleaſure in a former one of mine, to do ſo either by getting a Grant or a Denyal; and that ſaid Letter of mine being expreſs'd in Terms void of all Reſervation, I make no doubt but you have proceeded accordingly, notwithſtanding Mr. *Dodington*'s impertinent Inſinuations, of which you were pleaſed to give me an Account in one I receiv'd from you this Week, through Monſieur *Tereſa*'s Hands, bearing Date of the $\frac{11}{21}$ Currant. Thus you ſee what you have hitherto done is liked well of, but till you expoſe the whole, as you promiſe to do by an Expreſs, we cannot make a poſitive and final Judgment. In the mean time you may be ſatisfied his Royal Highneſs's Liking and Deſire to this Match is as ardent

ardent as ever, and that his Majeſty deſires he may find his Satisfaction in it.

The Fleet came into the *Boy in the Nore* laſt Week much ſhattered, they affirming not to have one Sun-ſhiny day, or free from Storms, ſince they went out: They have likewiſe many Sick aboard them, but his Royal Highneſs, God be thanked, is in perfect Health, and now as buſie as ever in refitting the Fleet, to make one turn more to Sea before the Winter comes. God ſend it may give us ſome of that good Fortune we have yet been diſappointed of.

We ſee by all your Letters, that the Emperour means to aſſiſt the Elector of *Brandenburgh*, and he the *Hollanders*. As late in the Year as it is, you may be ſure Monſieur *de Turenne* will look upon them on either ſide the *Rhine*; if he can be beaten, their Work will be eaſie, if not, I am much deceived in the Temper of the People in *Holland*, if they do not call for Peace; and if they do ſo, and obtain it, I am as verily perſwaded the Emperour and *Spain* will repent their looking out of Doors upon this matter. As for us, be aſſured, our Kings will not part in this Buſineſs till both be pleaſed, and we are deceived if the *Swede* will recede from his Obligation. God give a good End to all, and me many Occaſions wherein I may manifeſt the Truth and Affection wherewith I am

Yours, &c.

Whitehall, Septemb. 6. 72.

SIR,

I Have receiv'd this Week three of yours, two of the 25th and 28th paſt, and one without date; the effect of all of them is new Difficulties you meet with concerning

concerning the Aſcertaining the Portion, the value of which will be clearly ſeen when your Courier arrives, for as your Letter ſets it down, I confeſs ingeniouſly to you, I do not well underſtand it; and although I find his Highneſs very far from *chicaning* any thing thereupon, yet I cannot diſſemble with you, his Servants are ſorry to ſee the Portion fall ſo much ſhort of what it was at firſt imagined it would be, and have hinted to me great Debts lying upon him, which they hoped this Portion would have cleared. You can judge beſt whether there be no ſecret meaning in this, to beat us off the Match, or to delay it; for there are *Almanack-makers* that confidently ſay it will not quickly come to a Concluſion. I hope you remember his Highneſs calls impatiently for a Grant or a *Deſengano*. Speaking upon this Point with the *Spaniſh* Ambaſſadour the other day, he told me, he looked hourly for Letters from *Madrid*, in anſwer to thoſe he wrote, when the King, our Maſter, ſpake ſo effectually to him upon this Marriage.

I have no News to add to my laſt. The Duke is ſtill in the River aboard the Fleet, reſolving not to ſet his Foot on Shore till he does it for good and all, and to give a good Example to the reſt of the Officers. I am

Yours, &c.

Whitehall, Septemb. 20. 72.

SIR,

I Wrote not to you the former Week, becauſe I was obliged to follow his Majeſty on the Poſt Day to the Fleet; nor the laſt Week, becauſe a part of our Fleet being ordered abroad under the

the Command of Sir *Edward Spragg*, his Majeſty commanded the Mails to be ſtopp'd, as they continued to be till laſt Night, when his Royal Highneſs arrived here, being come for good and all from the Fleet, after he had ſent the *French* Squadron home to their own Ports, laid up the Firſt and Second Rate Ships, ſent Sir *Edward Spragg* abroad with twenty five Light Frigats, and put the reſt of the Fleet into a condition of being ready to frame a good Winter Guard; for now that Seaſon is directly come with us here, ſo that the means of executing thoſe Exploits we had further deſigned upon the Enemies Coaſt are for the preſent totally fruſtrated, they retaining themſelves likewiſe at the ſame time, and for the ſame reaſon, not being able any longer to endure the Sea with their Ships, ſo beaten as they have been, and as we with conſtant foul Weather all this Summer. His Royal Highneſs, God be thanked, is return'd in perfect Health, and longs with much Impatience to ſee your Courier arrive, by whom you have promiſed to give us the Concluſion of your Negotiation. In the mean time the *Spaniſh* Ambaſſadour avows not yet to have receiv'd any new Orders from *Madrid*, but ſpeaks hopefully to his Royal Highneſs of his Expectation of them, and in a few days. Here inclos'd you have a Letter from his Royal Highneſs, but of the laſt Week's date when he was at Sea: Your laſt to him and me, which was of the 8th Currant, *S. N.* complained you had not heard in a long time from him. I have ſent you ſeveral, as I remember, ſince my return into *England*, ſo that if mine have come ſafe to you, you muſt likewiſe be in poſſeſſion of his.

This laſt Week his Majeſty reſolv'd in Counſel a further Prorogation of the Parliament to the 4th

of

of *February* next, by which a great Meaſure of the *Hollanders* is broken, having fancied to themſelves, that they ſhould prevail with many of the Members of it, to make them Clamorous upon his Majeſty for a Separate Treaty upon eaſie Terms, and with Exceluſion of *France*, ſo that they ſeeing this Thruſt broken, and finding no great eaſe to their preſent Calamity from the Auxiliary Forces of *Germany*, we perſwade our ſelves we ſhall find them very reaſonable in a ſhort time; and in *February* his Majeſty bringing into Parliament a determinate Reſolution either of War or Peace, will much more eaſily obtain all his Ends there. I am

Yours, &c.

Whitehall, Septemb. 27. 72.

SIR,

THE Mails being ſtopt in the Ports, upon his Majeſty's Reſolution to lay up the great Ships, ſince the continuance and increaſe of the ill Weather, that made it impracticable to keep them longer at Sea; and that at the ſame time Sir *Edward Spragg* was ſent abroad with a Squadron of leſſer Frigats, I have forborn to write to you, and ſo am become now indepted to you for two of yours, of the 8th and 15 *S. N.* both of them promiſing, as many of your former, a ſpeedy Reſolution in your Negotiation, and the tranſmiſſion of the Articles hither, which we long with great Impatience to ſee; and now eſpecially, that the *Spaniſh* Ambaſſadour has declared to us, her Catholick Majeſty's entire Conſent and Approbation of the Marriage; which, he tells us, is likewiſe tranſmitted to the Marqueſs *de los Balbaces* in *Vienna*.

Since

Since my laſt his Majeſty has reſolv'd the Prorogation of the Parliament till the 4th of *February* next, by which time we ſhall know, whether we are to have Peace or War the next Year; for, in that Seaſon it will be very improper to treat, when the Preparations are all made. Nothing keeps the Minds of the *Hollanders* more in ſuſpence towards this Point, than the Expectation of ſome extraordinary Exploit from the *German* Auxiliary Troops upon Monſieur *de Turene*; which we think, will coſt them ſome extraordinary Skill to perform in this late and bad ſeaſon of the Year.

The King is going to *Newmarket*, whither his Royal Highneſs accompanies him.

I am, *&c.*

October 25. 72.

SIR,

I Have been all this Month at *Euſton*, during the time of his Majeſty's being at *Newmarket*, which is the reaſon you have not heard from me, nor indeed had I any thing to write till the arrival of your Expreſs, who came to Town ſome Days before my return, and ſhall be diſpatcht back again to you with what convenient ſpeed I can. In the mean time it is not fit I ſhould omit telling you, how well ſatisfy'd his Majeſty and his Royal Highneſs are to find you have brought this great Matter to ſo good a Concluſion in that Court: What we are to expect now is the Concurrence of that of *Madrid*, which by all the Diſcourſe I have had with the *Spaniſh* Ambaſſadour, I cannot believe but we ſhall very quickly obtain. I loſt no time in ſpeaking to his Excellency, according to the hint you gave me of

the ſmallneſs of the Portion, but I could not preſs it far, becauſe on the one hand I am not authoriz'd to do it from his Royal Highneſs, and on the other, the Ambaſſadour will not allow the Portion to be ſmall, conſidering the Value of the Princeſs; ſo that if *Spain* will mend it, it will be proper to let it move by their own Generoſity and Good Nature. I could not think it proper to with-hold from his Royal Highneſs your Letter relating to your ſelf, after reading of which he was pleaſed to expreſs to me, not only the Reſentment he hath for what you have done in this great Affair in his behalf, but a moſt particular Eſteem and Kindneſs for your Perſon, and a great deſire to gratify you with ſome Dependance upon the Archdutcheſs, for the Benefit and Satisfaction ſhe muſt needs receive therein as well as himſelf. He told me, he was very glad you had diverted her *Cavaleirizzo* from coming over, and if he had not engaged to beſtow that place upon another, as you know he is, he would have preferred no body to your ſelf: As for the other, he ſays, there is no ſuch in his Family, but concluded he would be very glad to have my help in finding out a Figure for you, that might be to your Satisfaction, which I promiſe you I will think of as effectually as I can. My Lord of *Peterborough* is preparing himſelf with all poſſible expedition to go from hence, and will take that way by *Paris*, which we adviſe him to as the ſafeſt and moſt convenient for the making his Equipage. When we diſpatch your Servant, I hope we ſhall be able to tell you when his Lordſhip will part from hence.

We are in great Expectation what the near approach of the Armies on the Borders of the *Rhine* will do together, and what the Prince of *Orange* will undertake with the extraordinary Prepa-

rations

rations he is now making; the Succeſs of one or both of which will give us means of judging of the Probability of the Peace this Winter.

The *Swediſh* Ambaſſadors are here to perſwade his Majeſty to hearken to it, which is told them will be no hard work, his Majeſty having minded nothing more theſe many Months paſt. Their ſtay here will be very ſhort, from whence they mean to go into *Holland*, where they will be met with the Count *de Tot*, that is now under the ſame Character, and on the ſame Errand in the Court of *France*. You ſhall be acquainted with the whole Progreſs we make in this great Affair. I am

Yours, &c.

Whitehall, Novemb. 1. 72.

SIR,

IN your laſt I receiv'd a Duplicate of the Project of the Articles of Marriage betwixt his Royal Highneſs and the young Archdutcheſs, together with other Papers relating thereunto; all which are in his Royal Highneſſes hands at preſent, ſo I cannot acknowledge your Letter by the Date of it, but when it was written, you ſaid, you were to leave the Court of *Inſpruck* the next Day, and from thence to return to *Vienna*.

Since my laſt of this day Seven-night the Project hath been compared with the Articles of Marriage compos'd for the laſt Queen Mother, and is found to have little or no variation from it; ſo that you may take it for granted that it is approv'd of, and that it will be returned ratify'd from hence by my Lord of *Peterborough*, who is making what haſt he can to be gone. Your Servant, whom his Royal

Highneſs hath preſented with one hundred Guinea's, ſhall be diſpatcht in the beginning of the Week, and by him you ſhall have ſuch further Directions, as ſhall occur to us to be neceſſary to your Buſineſs, although I do not foreſee much matter for them till my Lord of *Peterborough*'s departure, ſuppoſing you will ſupply this Vacancy, by making ſuch fitting Complements to his Imperial Majeſty and that Court, from the King our Maſter and his Royal Highneſs, as you ſhall judge neceſſary, giving us in the mean time all fitting Advertiſements of the Temper of that Court toward a Peace, or the proſecution of the War.

Our only News here is, that the *Swediſh* Ambaſſadors are ſtill here, on *Monday* will have their publick Audience and make what haſt they can to be gone towards *Holland*, in whom yet there appear no Symptoms of any willingneſs to treat, ſo much they are now taken up with the Contemplation and Proſecution of ſome great Deſign they have in hand. There is likewiſe here an Envoy from the Elector of *Brandenburgh*, but with ſo ambiguous an Errand, that we know not well what to make of it.

The Liſt you have ſent of the Servants of the Archdutcheſs will bring with her is, as far as I can gueſs, entirely to his Royal Highneſſes Satisfaction. I preſumed upon the ſight of it to move his Royal Highneſs to make my Lady *Sayers* a promiſe of being one of her Highneſſes Dreſſers; he told me he would very unwillingly impoſe any ſuch Servant upon her, and therefore had hitherto kept himſelf from any Engagements of this kind. I would not refuſe her earneſt Importunity made to me to recommend her to your Friendſhip, becauſe I think her very well qualify'd, as any I know here, for that Employment for her Diſcretion

cretion as well as underſtanding the Princeſſes Language. I am

Yours, &c.

Whitehall, Novemb. 11. 72.

SIR,

IN my late Letters I gave you an account of the arrival of your Courier here, with a Project of the Articles of Marriage betwixt his Royal Highneſs and the Archdutcheſs of *Inſpruck*, and the general Approbation his Majeſty and his Royal Highneſs gave thereunto, reſerving to my ſelf the repreſenting to you the particular Exceptions, when I could do it ſafely by your Couriers return. In my Letter of this day Sennight, I told you that the Conditions in the aforeſaid Project, relating to the free Exerciſe of the Catholick Religion to be indulged to the Archdutcheſs, were found in effect to be the ſame the Queen Mother had, and her preſent Majeſty now enjoys; ſo that upon comparing them the ſeeming Diſſatisfaction quite vaniſhed. Now I am to tell you, his Majeſty in a Second Debate reflecting upon the three Conditions in the ſaid Project relating to Matters of State only and forreign to the Marriage, *viz.* the ratifying a-new the Peace of *Aix la Capelle*, the including his Imperial Majeſty in any Peace that ſhould be made with the States General, and the promiſing him Aſſiſtance in caſe he ſhould be attacked by any Prince or State, being more expreſly examined by his Majeſty's command, we reſorted to your Inſtructions, to ſee whether there were any thing therein to warrant them, and finding nothing there of that nature, it was further remembred, that his Majeſty hath

ever declared through this whole Negotiation, that he would never make this Marriage of his Royal Highneſs a matter of State, it being held unreaſonable to change any of thoſe Meaſures, wherein we are, for the advantage of this Match how deſirable otherwiſe ſoever, and that this hath not only been told you but often repeated to the *Spaniſh* Ambaſſador here. As to the Points themſelves, his Majeſty ſays, that there is no tye, wherewith he holds himſelf more obliged, than that of maintaining the Peace of *Aix la Capelle*, and wherein he will more inviolably perſiſt to the laſt, whilſt he ſhall have no juſt Provocation to the contrary, making no difficulty of repeating the Declaration of his Mind anew therein whenever the occaſion ſhall be proper for it. As little difficulty his Majeſty will make in uſing his utmoſt endeavours to include his Imperial Majeſty in the Peace that ſhall be concluded with the States General, aſſuring himſelf his moſt Chriſtian Majeſty will readily concur therein, with whom being ſo ſtrongly united in the War, it is but Juſt he ſhould be conſulted, and that he concur in all the Conditions of the Peace: But for the laſt Point, his Majeſty finds the Intricacy thereof ſo great, that how deſirous ſoever he be to do it, he knows not how by any means to diſintangle it. He remembers the ſame Propoſition was made to him, when his Imperial Majeſty offered to come into the Triple Alliance, but that it was reply'd from hence, and made apparent, how impracticable any ſuch Conditions would be, *viz.* for his Majeſty to aſſiſt the Emperour with Forces from hence, ſo remote from all his extended Territories, in caſe he ſhould be from any ſide aſſaulted; what an Expence his Majeſty muſt be perpetually ſubject to, if in every Attempt made upon his Imperial Majeſty he muſt

raiſe

raiſe and ſet an Army on foot for the Emperour's Defence. In the laſt place it was conſidered with relation to this preſent Conjuncture of Affairs, how improperly any ſuch Conditions could be made at a time, when the King, our Maſter, being in a declared and open War with *Holland*, and his Imperial Majeſty having entertained ſuch Overtures as you carried without any notification whatſoever thereof to him, the Emperour had been pleaſed to enter into, and conclude a Treaty (if we may believe his Miniſters) for ſupport and defence of his Majeſty's Enemies: Theſe Conſiderations having occur'd upon the Debate, his Majeſty commanded me to acquaint the *Spaniſh* Ambaſſadour with them, and to ſee if he could afford us any eaſe out of his Letters from *Vienna*. He heard me with much Attention, but aſſured me all he could do therein would be to repreſent our Difficulties to that Court, and I am perſwaded, according to his accuſtomed Candor and Ingenuity, he will do it with all Fairneſs and Complacency to the Occaſion. Reporting this back to his Majeſty and his Royal Highneſs, I was commanded to diſpatch away your Courier with all ſpeed, that you might poſſeſs the Emperour and his Miniſters with the King our Maſter's mind in theſe great Points, whilſt my Lord of *Peterborough* continues on his preparations for his Embaſſy, and if it be poſſible, attain of his Imperial Majeſty, a Relaxation of them, and to ſuffer the Articles to run for the making of the Marriage free from all Conditions of State, leaſt Advantages may be taken from them by his Majeſty's Enemies unreaſonably to exalt themſelves, or his Friends be diſcouraged by entertaining any Jealouſie of his Proceedings. I ſhall enjoyn your Courier to make all poſſible ſpeed in this matter, that if it may be, an Anſwer may come to this

my Diſpatch before my Lord *Peterborough* ſets out from hence, aſſuring you, no Diligence ſhall be omitted in his Preparations, and that there is not the leaſt Coldneſs or Unwillingneſs in his Majeſty to ſee this Match happily concluded, ſo it may not proceed from notorious Diminution to his Intereſt, or a Violation to his Honour. I am

Yours, &c.

Whitehall, Novemb. 11. 72.

SIR,

YOur Servant had my Diſpatch on *Friday* laſt, and had then parted from hence, if the Duke's Letters had been ready, ſo that I ſuppoſe he parts without fail this Night; but for fear any Accident ſhould befall or interrupt him in the way, I thought fit by this firſt Occaſion, to ſend you a Copy of his Diſpatch, to which I have nothing to add, but the *Swediſh* Ambaſſadours Reſolution to be gone on *Thurſday* next, with an entire Satisfaction, as they profeſs, in what his Majeſty hath declared to them upon the Scope of their Embaſſy, reduced to theſe Points; his Majeſty's acceptance of their King's Mediation, his nomination of a place wherein to treat the Peace, *viz. Dunkirk*, and his conſenting to a Suſpention of Arms by Sea and Land.

Your Friend, my Lord of *Oſſery* is gone away this Evening for *France* with his Majeſty's Compliments of Condolance upon the Duke of *Anjou*'s Death. I am

Yours, &c.

SIR,

Whitehall, Decemb. 6. 72.

S I R,

IN this inſtant at 7 at Night, when we were making our Letters ready for the Poſt, I received yours of *November* the 14th, which left you in a great deal of trouble and anxiety of mind, for not having heard of the arrival of your Courier, who I ſuppoſe is long before this time with you, and who carried a final and determinate Anſwer to your whole Negotiation, which was repeated to you in a Duplicate by the following Poſt; ſo that I take for granted, as I ſaid before, that you know by this time all we think or ſay upon that matter.

All we are taken up here with is the Expectation of what the ſeveral Armies will do upon the Borders of the *Rhine*, and what effect the Mediation of the Crown of *Sweden* will have in *Holland*, where the Ambaſſadors have had but a very cold and unmannerly Reception. As any thing proceeds thereupon, or offers it ſelf worthy your knowledge, it ſhall be punctually communicated to you by me. I am

Yours, &c.

Whitehall, Decemb. 16. 72.

S I R,

I Have yours of *December* the firſt, wherein you acknowledge to have received the News of your Courier's arrival here. We hope he is long e're this arrived with you, or at leaſt my Duplicate, wherein I gave you an account of what he carried with him.

him. In your ſaid Letter you intimate what the Diſpoſitions of that Court are towards the Peace, but our laſt News from *Bruſſels* notifying to us the Siege of *Charleroy*, gives a ſufficient contradiction to them, which we look upon as an open breach by *Spain* upon *France*, and puts the King, our Maſter, into the Obligation of reſenting it as a Violation of the Treaty of *Aix la Capelle*. Judge you by this how reaſonable his Majeſty's Caution was in his Exceptions to your Project, upon which we expect a final Anſwer from his Royal Highneſs, which I ſuppoſe ſignifies the ſame to you. I am

Yours, &c.

Whitehall, Decemb. 27. 72.

SIR,

I Have receiv'd yours of the 8th Inſtant, wherein you advertiſe me of the arrival of your Courier, and the Surpriſe you were in at what he brought; it ſeeming contrary to what I had written to you of his Majeſty and Royal Highneſſes Satisfaction in what you had done. I can eaſily call to mind the firſt Difficulties that aroſe upon your Project, concerning the Liberties allowed the Princeſs for her Chapel, which at firſt ſight ſeemed to exceed thoſe that had been heretofore granted to the Queen and Queen Mother, but comparing them they were found to be the ſame, upon which I told you his Majeſty was ſatisfied therein, but never was, as I remember, in thoſe latter points of the Project, which were foreign to the matter of it, and purely points of State; and even they did not appear ſo difficult in themſelves as the following Conjuncture made them, *viz.* his Imperial Majeſty's entring

entring into a new Treaty with *Holland*, and carried thither about that time by the Baron *d'Iſola*, which, with what has followed ſince, as I hinted to you in my ſubſequent Letters, rendred thoſe points impracticable; as you will eaſily judge your ſelf, eſpecially when you call to mind, that you were not Authorized in your Inſtructions towards them. In a word, Sir, his Royal Highneſſes Impatience increaſes every day in this matter, and we are in no kind of deſpair of ſeeing the Emperour and the Court of *Spain* concurr readily in an Affair, that ſeems ſo equally advantageous to them.

It will be no News to you when this arrives, that the Siege of *Charleroy* is raiſed with much Shame to the Beſiegers, who we think have nothing left them to do now, but to hearken to the Mediation of the *Swede*, and to diſpatch the Peace before the Preparations are made for a Second Years War. His Majeſty hath complained to the Court of *Spain* of the Infraction of the Peace of *Aix la Chapelle* by the attacking of *Charleroy*, and the taking of *Binche*, both places yielded by that Treaty to the moſt Chriſtian King, declaring he holds himſelf ty'd to ſuccour *France*, as he would have done *Spain*, if *France* had violated the ſaid Peace, but withal offers his Catholick Majeſty his Offices for compoſing this matter in caſe the Catholick King be diſpoſed to give his moſt Chriſtian Majeſty Satisfaction and Reparation for the wrong done him. We are expecting what will be done upon it, and what News your Courier will bring us relating to the Match. I am

Yours, &c.

SIR,

Whitehall, January 3. 73.

SIR,

MIne of the 27th paſt acknowledgeth yours of *December* the 8th, ſince when I have had no Letters from you. I have one from Sir *William Godolphin* of *December* $\frac{11}{21}$, acknowledging the receipt of mine, wherein I ſent him a Duplicate of mine to you of *November* the 8th, to which he makes Anſwer, That the Queen of *Spain* had ſent to his Imperial Majeſty her Ratification of your Project, with her Opinion that ſhe will not recede from it unleſs intreated thereunto from his Imperial Majeſty: if therefore it ſhall ſo fall out, that you find any Diſpoſition in that Court to recede from thoſe points, you muſt loſe no time in taking care that the ſame be notified to her Catholick Majeſty with all poſſible ſpeed. I am ſure you would eaſily believe me, if I ſhould tell you to what degree his Royal Highneſſes Impatience is grown to ſee a good Concluſion put to this great Affair, his Love and Affection following naturally the great Character given of this Princeſs moving him thereunto; and I may ſay freely to you, that beſides the publick Concernments therein, it behoves none more than your ſelf and me, to procure to his Royal Highneſs either a Satisfactory Anſwer herein, or a ſpeedy *Deſengano*; one of which, I hope, we ſhall receive by your Courier, whom you have prepared us to expect in a few days.

Before this arrives with you, you will have heard the new Mortification befallen the *Hollanders*, ſince the raiſing the Siege of *Charleroy*, by the ſucceſsful Attempt of the Duke of *Luxemburgh* made lately upon their Poſts at *Bodegrave*, &c. and the Conſternation

ſternation that followed upon it in all the Towns of *Holland*; and had not the Thaw happen'd upon it, undoubtedly the *French* had been Maſters of *Leyden*, *Rotterdam*, and the *Hague* it ſelf. This being their Condition, we are expecting hourly what Anſwer they will make to the *Swediſh* Ambaſſadours, or if they be not ſatisfactory ones, what defence they will be able to make the next Campaign in ſuch a Deſolation of that poor Country. In the midſt of this we have loſt poor *Don Marcos d'Ognate*, whoſe Heart was broken with the ill uſage of his Enemies. I am

Yours, &c.

Whitehall, January 17. 73.

SIR,

SInce my laſt to you I have all together received five of yours of *December* the 15th, 18th, 22d, 29th, and *January* the 5th. In your firſt and ſecond you expoſe Temperaments that you believe that Court would be induced to, upon a new moddelling the 25th Article, which, as you well obſerve, leaves it as a point of Honour only; but in your following Letters you conclude you can ſay nothing poſitively till you have an Anſwer in Writing, upon the receipt of which, you promiſed to diſpatch your Courier with all poſſible ſpeed. The truth is, as I have often repeated to you, our Exceptions lie and are grounded more upon the Umbrage his Majeſty's Allies would take, upon the ſigning any ſuch Articles foreign to the Marriage, than in the ſimple nature of them, which in any other Conjunction would not beget any difficulty on his Majeſty's part: If then the inſerting them be of eſſential prejudice

to

to our Maſter, we wonder not a little that there is ſo much time taken up there in deliberating upon them, and that the Concluſion is not rather totally to expung them. I muſt not diſſemble with you that this delay gives great offence to his Royal Highneſs, and yet I may tell you with all Sincerity, that whatſoever is written to you there, no other Overtures for his Royal Highneſſes Marriage have been ever entertain'd by his Majeſty or him ſince this matter was on foot, not ſo much as avowedly made to them or any of the Miniſters here.

We are now expecting what the Crown of *Spain* will ſay to the buſineſs of *Charleroy*, and what effect the *Swediſh* Ambaſſadours Mediation will have in *Holland*, which they write is accepted there, and likewiſe *Dunkirk* for a place of Treaty, reſerving only to themſelves the *bien Seance* of acquainting their Allies with it. They ſeem to make more difficulty of the Suſpenſion of Arms, but even in that point they ſay they will reſort to the Directions of their Principals: Whether their Intention be really to treat or not in this Conjunction, a little time will tell us, and probably you will know it better at *Vienna* than we do now, before this arrives with you. I am

Yours, &c.

Whitehall, January 27. 73.

SIR,

I Have communicated to his Majeſty and his Royal Highneſs both your Letters of the 19th inſtant *S. N.* together with all thoſe Papers contained therein, brought hither by your Courier with much diligence and care, as I hope, and queſtion

not

not but he will return with this. As for the Expedient you offer for concluding the Marriage between his Royal Highneſs and the young Archdutcheſs, his Majeſty having maturely conſidered them, cannot think, in this Conjuncture of Affairs, fit to admit of them or any other Temperament of that kind, becauſe, let the words be in appearance never ſo inoffenſive to his Majeſty's Allies, an ill Conſtruction of them may give, as Affairs ſtand, ſuch an Umbrage as would much perplex them: his Majeſty following therefore the ſafe way, and which I hinted to you in my laſt Letter, it came to this poſitive Concluſion (according to which there goes here-with a Formal and Plenipotentiary Inſtruction to you) that if his Imperial Majeſty ſhall be pleas'd to expunge out of the Project the whole 25th Article, wherein are all thoſe Conditions which I have formerly told you are foreign to the Marriage, and retain thoſe only which ſimply concern it, the King our Maſter moſt willingly conſents thereunto, preferring this Princeſs before any other for her Birth and Perſonal Qualities I think it needleſs to repeat to you the ſeveral Exceptions I have in my former Letters expoſed to you upon the aforeſaid Points, which are much ſtrengthened now by the *Hollanders* refuſal to treat the Peace by the Emperours more ſtrictly writing himſelf in their defence; and laſtly, by the *Conde de Montereys* beſieging *Charleroy*, of which his Majeſty has by his Ambaſſadour complained to the Catholick Queen, as a breach of the Peace of *Aix la Chapelle*, as you will ſee more diſtinctly by the Copy of the enclos'd Memorial given to her by Sir *William Godolphin*, and her Catholick Majeſty's Reply to it. Now becauſe your Second Letter ſeems to encourage us to hope that this Concluſion of his Majeſty may not

be

be rejected by the Emperour, and withal, confirm him in the aſſurance, that his Majeſty really means to accompliſh what he authorizes you to ſign in his Name, he has further been pleaſed to reſolve to diſpatch my Lord of *Peterborough*, with Directions to take the beſt and ſhorteſt way to *Strasbourgh*, where, if he ſhall find Letters of Aſſurance from you, that you have ſigned and ſealed together with the Commiſſioners of his Imperial Majeſty the Project of Marriage, qualified according to your Plenipotentiary Inſtructions herewith ſent you, then his Lordſhip ſhall proceed on without delay to the Court of *Vienna*, and taking upon him the Character of Extraordinary Ambaſſadour, make a formal and open Requeſt to his Imperial Majeſty of the young Archdutcheſs, and proceed to Eſpouſe her in his Royal Highneſſes Name, according to the Powers given him; and laſtly, conduct her into *England*: and whilſt my Lord of *Peterborough* is upon his way, his Majeſty expects you ſhould ſend hither the Project ſo ſigned, he promiſing to return it ratified to you with all ſpeed; in which, that no time be loſt there, not only the *Spaniſh* Ambaſſadour here, but even Sir *William Godolphin* at *Madrid*, ſhall be directed with all poſſible ſpeed to obtain a Categorical Reſolution from her Catholick Majeſty in this Affair, to take away the poſſibility of pretending at *Vienna* to conſult her Majeſty anew, or expect any further Anſwer from thence than what ſhall be ſent by the Sollicitation of the Marquiſs *del Freſno* and Sir *William Godolphin*: And thus if the Princeſs can be had, you may be aſſured that you will render a moſt acceptable Service to the King our Maſter, and his Royal Highneſs, who do both equally deſire the accompliſhment of this Marriage, and would willingly yield to any

reaſonable

reaſonable terms for it, that would not eſſentially diſcompoſe the preſent meaſures of his Majeſty's Affairs: But if on the contrary, you find this offer of his Majeſty will not take effect, you muſt not only advertiſe my Lord of *Peterborough* thereof with all poſſible ſpeed, and an Expreſs, ſo to ſave his Lordſhip as much as you can of his Journey, but likewiſe ſend the knowledge thereof hither to his Majeſty and Royal Highneſs, that they may take new meaſures in an Affair, that, they think, hath been ſuſpended too long; and likewiſe apply your ſelf immediately upon his Imperial Majeſty's refuſal to cauſe the Project of the Marriage ſo reformed to be ſigned by his Commiſſioners, to take your leave of his Imperial Majeſty in ſuch terms, as the Occaſion will beſt ſuggeſt to you, and return your ſelf hither with all poſſible ſpeed: which having ſaid, I have nothing more to add, but my wiſhes for your good Succeſs, and that I am *Yours*, &c.

Whitehall, February 7. 73.

SIR,

YOUR Courier parted from hence on the 27th of the laſt Month *St. V.* ſince when I have received two of yours, one of *January* the $\frac{2}{12}$ precedent to what you ſent by him, as likewiſe the Duplicates of what he brought; the other of the 26th paſt written after he was parted from you, by which I perceive the power his Majeſty hath ſent you will be to the liking of that Court, becauſe it authoriſes you to ſign the Project abſolutely, ſo his Imperial Majeſty be content to expunge the whole 25th Article; and conſequent to this we are diſpatching my Lord *Peterborough* with all poſſible ſpeed. I

make no doubt but his Lordſhip will be able to tell you by this Night's Poſt the Day he will part, and that you will find by the encloſed from his Royal Highneſs, how impatient he is to ſee this great Affair happily finiſhed.

The Parliament met on *Tueyday* laſt; the firſt Day being ſpent in the choice of a Speaker, in which you know there is much Formality uſed: His Majeſty ſpake to the Houſes not till *Wedneſday*: Here inclos'd I ſend you his and my Lord Chancellor's Speech. His Majeſty never ſpake better, and more to the applauſe of all that heard him. The next Day the Houſe of Commons fell into a warm and angry debate upon the iſſuing out of the Writs for the choice of new Members, during the Prorogation, which ended in the voting them irregular. This Day the Houſe took into conſideration his Majeſty's Speech, and in two Hours time in the Morning voted the bringing in a Bill to give his Majeſty eighteen Months Tax, according to the Rules of the Royal Aid, for Seventy Thouſand Pound *per Menſem*, which in *bon Francois*, you may fairly call Sixteen Millions. Thus you ſee how a few Hours have blaſted all our Enemies vain Hopes of ſeeing the War diſowned by a Parliament, and his Majeſty obliged to make a diſhonourable Peace ſeparate from *France*.

We have nothing more of any progreſs the Mediators have made with that unhappy People, ſo his Majeſty applies himſelf with all poſſible diligence to the ſetting forth a ſtrong Fleet betimes in the Year, and remembring the Agonies he was in the laſt Year for the perſonal dangers his Royal Highneſs was expoſed to, hath obtained of him to reſign the Command of the Fleet this Year to Prince *Rupert*. I am *Yours*, &c.

S I R,

Whitehall, February 21. 73.

SIR,

YOU know my constant method is to write to you once a Week, but my business was such this Day seven-night, that I could not possibly do it: To supply it the Writer of this sends you all our News. The next Morning the Speaker of the House of Commons fell desperately sick, and with much ado was brought to the House to adjourn it till *Tuesday* following, on which day Mr. *Edward Seymour* by his Majesty's Recommendations was chosen Speaker, who supplies the place very well, and with much more sufficiency than his Predecessor did. *Wednesday* and *Thursday* were taken up by debates in the House upon a Bill to stand in the place of his Majesty's Declaration, in which you will easily believe there were great varieties, and contradictions in Opinions; this would go currantly on if it were not for the preceding matter.

I fill my Letter with this News, not only because I think you hearken curiously after it, but because I have no other matter to entertain you with, unless I should tell you that we stick still upon *Dunkirk* for the place of the Treaty, and that the *Hollanders* contradict it; upon which difficulty the Mediation is at a stand. I have promised my Lord of *Peterborough* his dispatch to morrow, so his Lordship hath promised the Duke to set out on *Monday*. My freshest Letters from you are of the Second and 9th Instant, which being so agreeable to what we sent you by your Courier we cannot think it fit to to delay his Lordship any longer. I am

Yours, &c.

Whitehall, March 7. 73.

SIR,

I Have receiv'd yours of the 23d paſt, the firſt that hath given advice of the ſafe arrival of the Courier, wherein you further add, that, altho' you are perſwaded his Imperial Majeſty will be inclin'd to conclude the matter, according as the King our Maſter propoſes it, yet you doubt whether it will be ſign'd till a new anſwer comes from *Madrid*; foreſeeing which, as I told you in my former, I had, by his Majeſty's expreſs Commands, forewarned Sir *William Godolphin* thereof, and directed him to cauſe the mind of the Court of *Spain* to be ſignify'd there at *Vienna*, with all poſſible ſpeed, and to prevent all delays: Now, becauſe in his laſt Letter to me, he tells me poſitively, that the Court of *Spain* is reſolv'd to agree in the matter as we deſire it, I am not without hopes, but, long before this arrives, the neceſſity of ſending to *Madrid* again will have been prevented; preſuming upon which, and what you have ſent us from *Vienna* to the ſame effect, my Lord of *Peterborough* this day began his Journey, of which, beſides this inclos'd Letter from his Royal Highneſs, I imagin he has given you an account himſelf.

I am ſorry I cannot yet tell you, that all the Difficulties and Jealouſies which have ariſen betwixt his Majeſty and the Houſe of Commons are ſo cleared, as to oblige them to diſpatch the Money Bill; but, I hope we are in ſo fair a way to it, that I may be able to ſend you, by this day ſennight, that it is diſpatch'd; in the mean time, the *Hollanders*, preſuming on the contrary, begin to take heart again, and

and the laſt Letters from thence tell us, they are reſolv'd to ſet out as ſtrong a Fleet this Year as they did the laſt; and, becauſe they make but ſmall advances towards the Offers of the Mediators, his Majeſty, to know their minds to the bottom, hath condeſcended to change the place of the Treaty from *Dunkirk* to that of *Aix la Capelle*, or *Cologne*, wherein he has ſacrific'd all his own Convenience to the preſſing Inſtances and Sollicitations of the moſt Chriſtian King, at whoſe coſt he ſaw the point was yet defended, it being diffuſed throughout the World, that the King, our Maſter, maintained that point in favour of his moſt Chriſtian Majeſty.

I have nothing to add, but to conjure you not to ſuffer any new delays to diſturb your Treaty of marriage, if you will have it take effect, aſſuring you, that any thing of that kind will be underſtood, and taken for a denyal.

I am, &c.

Whitehall, March 8. 73.

S I R,

THis will be delivered to you by my Lord of *Peterborough*, who beſides the occaſion of his Journey, which ties you more ſtrictly together, hath ſo particular an Eſteem and Friendſhip for you, that I hold it ſuperfluous to notify his Majeſty's pleaſure that you diſpoſe your ſelf to a perfect good underſtanding with him, who, notwithſtanding the difference of his Character, which according to the forms muſt over-rule yours, and your Sentiments therein, will take a great pleaſure in hearing and following your advice in all things relating to his Negotiation, in which I wiſh you both the ſatiſ-

faction and good ſucceſs ſo important an occaſion deſerves. I am

Yours, &c.

Whitehall, March 14. 73.

SIR,

I Have two of yours to acknowledge ſince my laſt of this day ſennight, *viz.* of *March* the 2d and 5th, wherein I find you have brought your Negotiation to a good period, by conſequence we muſt allow that my Lord of *Peterborough* is not gone away ſo ſoon; tho' by this time I hope he is well on his way to *Paris*. My Letters from Sir *William Godolphin* ſpeak ſo poſitively of the Allowance and Approbation of the Queen of *Spain*, that I cannot but think it Labour and Time loſt for the Emperour to ſend thither.

When I wrote laſt I was in good hopes I ſhould by this time have ſent you word, that the Money Bill was in the Lords Houſe, for the next day his Majeſty ſpeaking to both Houſes, and gratifying their Deſires in promiſing to concur in all Points that might hinder the growth of Popery, and they voting their humble and hearty thanks for ſo full and ſatisfactory an Anſwer, we could not but conclude that the buſineſs was done, and in effect there wants but few Hours to compleat it; but they do ſo avowedly profeſs they will have one Bill go the ſame pace with the other, that we muſt have patience.

All our Letters from *Holland* tell us in what a Diſpondency that Government is in by the Elector of *Brandenburgh*'s falling off from them. When there ſhall be added to this the News of the King

and

and Parliament's agreement, they have nothing left but to treat, or to give themſelves up to one of the Kings, and our Letters ſay Debates ariſe already upon that Point. I am

Yours, &c.

Whitehall, March 17. 72.

SIR,

YOur Courier arriv'd here *Saturday* laſt in the Evening, having made extraordinary diligence, conſidering how much he went out of the ſtrait way to this Kingdom, and brought with him the ſurpriſing News of the Empreſſes death, which hath given his Royal Highneſs a moſt ſenſible Affliction, conſidering the fair hopes he finds himſelf fruſtrated of by this unhappy accident. Yeſterday his Majeſty and himſelf conſulted of the ſending back your Expreſs with all poſſible ſpeed, and the Anſwer he ſhould carry to your Letter, wherein, as likewiſe in a preceding one of yours of the 9th, brought this day to my Hands, and written by you when the Empreſs fell ſick, you expreſs in clear terms, that you aſſure your ſelf his Imperial Majeſty will no longer think of marrying the young Archdutcheſs to the Duke, but retain her for himſelf; notwithſtanding which, his Majeſty and his Royal Highneſs both think themſelves under an Obligation to enjoyn you, as they do hereby, to make a formal and final demand of this young Archdutcheſs in marriage with his Royal Highneſs, and, that either upon a denyal or dilatory Anſwer, you take your leave and come away with what ſpeed you can: Accordingly I am directed to ſignifie his Majeſty's Pleaſure to my Lord of *Peterborough* by

this Night's Poſt, that he advance no further than *Paris*, intimating further to him, that Orders will quickly be diſpatch'd to recall him home again.

As for what you inſinuate of your own Opinion concerning the Emperor's Siſter, altho' all the eſteem is had to her which her Birth requires, yet, I am forbidden to give you the leaſt encouragement that is poſſible, of hoping to ſee that demand made from hence, his Royal Highneſs beſeeching his Majeſty, that, whatever advantages may be had thereby, he would not command him to ſeek a Lady, whoſe Brother ſhould take away his Miſtreſs. By this you ſee his Majeſty's and Royal Highneſſes minds ſo clearly, that I need not expatiate any further upon this Subject, more than to tell you from my ſelf, how much afflicted I am to ſee a buſineſs, wherein you and I have taken ſo much pains, fall out of our Hands, when it was come to its perfection. I am ſorry I cannot alleviate ſome of yours and my own Grief, by ſending you word, that the Bill for the Supply is not yet gotten into the Lord's Houſe, *Friday* next is the laſt day for it in the Houſe of Commons; ſo that if no unhappy Accident happen between, we may promiſe our ſelves, that then the Houſe of Commons will ſend it up.

I am, &c.

Whitehall, March 28. 73.

SIR,

I Have not made haſte to write to you ſince the return of your Courier, becauſe I had nothing to add to what I then ſaid to you by his Majeſty's and Royal Highneſſes Commands, and becauſe I expected every day that I ſhould be able to tell you all

all our perplext and difficult matters in the Parliament were well ended, which I hope will happily be ſo to Morrow; the Bill for his Majeſty's Supply being paſt both the Houſes, and the Royal Aſſent intended to be given to that and all the reſt to morrow, from which time the Parliament will be adjourned till *October* next.

Sinee I had yours by your Expreſs, I have received two ſubſequent ones of the 16th and 19th, the former having encloſed in it his Imperial Majeſty's notification to his Majeſty of the Empreſſes Death, for which the Court goes into Mourning the beginning of the next Week: The latter expoſing what is for and againſt the proceedings of his Royal Highneſſes marriage with the young Archdutcheſs, the fate of which muſt be determined by your firſt trial after the arrival of thoſe Directions your Expreſs carried you. I wiſh you good luck in the Affirmative, ſeeing nothing in Chriſtendom comparable to your Propoſition, or ſo worthy of his Royal Highneſſes wiſhes. I am

Yours, &c.

Whitehall, April 21. 73.

SIR,

I Am to acknowledge two of yours of *March* the 30th and *April* the $\frac{1}{11}$, betwixt which I have one from your Secretary, at the time you were going to *Newſtadt*, by both which I learn only that your Courier was return'd to you with thoſe preciſe Orders ſent you by his Majeſty, which you ſeem to fear you ſhall not be able to comply with, becauſe the Emperour will give no Audiences till the Funeral was over, and that the Court would expect an

Anſwer

Anſwer from *Spain*; notwithſtanding which, I am commanded to tell you again, that Delays will be interpreted here as Denyals, it being now full two Years ſince the Duke hath been a Widower, and that it is not only his Royal Highneſſes Satisfaction, but for the good of his Majeſty's Service that the Duke ſhould quickly marry himſelf again.

Sir *William Godolphin* in one I receiv'd from him, tells me, you had inſinuated to him a Diſpoſition in the Court of *Vienna*, to give his Royal Highneſs the Emperour's Siſter, but having no Orders from hence concerning that matter, he could not make any ſtep in it; and you already knowing his Majeſty and Royal Highneſſes mind therein, I hold my ſelf obliged to warn you to be cautious in making any Advances thereupon; but in ſtead thereof to preſs a Negative or an Affirmative upon the firſt Propoſition.

The Prince takes his leave this day of the King and Court, and means by the Evening Tide to be gone to the Fleet for good and all: Our Plenipotentiarks likewiſe will be diſpatcht this Week, with whom you will not fail to correſpond.

The *Hollanders*, who obſtinately refuſed the Ceſſation for five Months time, now are importunate for it, and preſs the Mediator to ſollicit both the Kings therein, but without effect; for our Preparations being all made, you may judge whether the King, our Maſter, will be eaſily prevailed upon to let this whole Summer go over, attempting nothing under ſo vaſt an Expence. I am

Yours, &c.

SIR,

Whitehall, May 26.

SIR,

MY laſt to you was of *May* the 9th, ſince when I had his Majeſty's leave to take the Air a little at *Euſton*; during my abſence yours of the 4th arriv'd, and ſince, another of the 11th, by which laſt I find the long expected Courier from *Spain* was arriv'd, and yet no Reſolution upon your Buſineſs. This makes his Majeſty and his Royal Highneſs conclude, it muſt be their own parts to give themſelves a Denial, without expecting it from his Imperial Majeſty; according to the *Spaniſh* Proverb, *En la Corte los deſenganos ſe toman no ſedas.* Wherefore his Majeſty commands you, without further delay upon receipt of this, to take your leave, and declare that he has taken new Meaſures for marrying his Royal Highneſs elſewhere, which I tell you with ſorrow for the loſs of ſo excellent a Princeſs. God's Will be done.

As ſoon as the Fleets were joyn'd, and his Majeſty and Royal Highneſs had had a ſight of them, much to their ſatisfaction, the Prince ſet Sail with a fair Wind towards the Coaſt of *Holland*, to return Monſieur *de Ruyter*'s Viſit to him; ſince when we have had no News of them; ſo that we cannot yet tell whether the Enemy will ſtand their ground and fight us, or ſhelter themſelves within their own Ports. God ſend us good Succeſs according to his many indulgent Mercies at this ſeaſon of the Year, when we are ſo near his Majeſty's Birth-day.

I am, *&c.*

Letters

Letters from his Majeſty K. Charles *the Second, and the Duke of* York, *in their Exile, to* Henry Bennet, *then Secretary to his Royal Highneſs, and afterwards Earl of* Arlington.

Private Inſtructions for my Brother the Duke of York, July 13. 1654.

1.

YOU know the Model of my Affairs in *England*, and therefore will not imploy any Perſons to treat there. When I go my ſelf for *Scotland*, I will tranſmit to you the Buſineſs of *England*, with all the Particulars; in the mean time it muſt be manag'd by my ſelf, and in the way I have put it.

2.

You muſt not imploy or truſt *Bamfield* in any thing, ſince I am reſolv'd to have nothing to do with him, and to forbid all my Friends to give Credit to him in any thing that concerns me.

3.

As ſoon as I think of making any general Officers of an Army I will advertiſe you of it, and I pray do not make any Promiſes of ſuch Offices to any Perſon whatſoever, without firſt acquainting me with your thoughts.

4.

Let no Body perſwade you to engage your own Perſon in any Attempt or Enterprize without firſt imparting the whole Deſign to me, which will be eaſily

eaſily done, whilſt there is no Sea between us; and when that comes to be the caſe, aſſure your ſelf I will deſire nothing more, than either to have you with me, or in action in ſome other place; But, to deal freely with you, till I am my ſelf in Action in ſome part of my Dominions, which I will endeavour as ſoon as poſſible, I ſhould be very ſorry to ſee you engag'd before me, and therefore let no man perſwade you to it under what pretence ſoever.

6.

I have told you what the Queen hath promiſed me concerning my Br. *Harry* in point of Religion, and I have given him charge to inform you if any attempt ſhall be made upon him to the contrary; in which caſe you will take the beſt care you can to prevent his being wrought upon, ſince you cannot but know how much you and I are concern'd in it.

7.

You muſt be very kind to *Harry Bennet*, and communicate freely with him; for as you are ſure he is full of Duty and Integrity to you, ſo I muſt tell you, that I ſhall truſt him more than any other about you, and cauſe him to be inſtructed at large in thoſe Buſineſſes of mine, when I cannot particularly write to you my ſelf, *&c.* *Charles Rex.*

Collen, Decemb. 22. 1654.

King Charles *the Second to Mr.* Bennet.

Harry, you may eaſily believe that my Approbation for your coming hither would not be very hard to get, and if you had no other buſineſs here, than to give me an account how *Arras* was relieved, or who danc'd beſt in the Mask at *Paris*, you

you ſhould be as welcome as I can make you. I will not ſay any more to you now, becauſe I hope it will not be many days before you will ſee how we paſs our time at *Collen*, which tho' it be not ſo well as I could wiſh, yet I think it is as well as ſome of you do at *Paris*; at leaſt ſome that are here would not paſs their time ſo well there as they do here, and it may be you will be one of that number. One of the greateſt Alterations you will find here is, that my Lord *Taff* is become one of the beſt Dancers in the Country, and is the chief man at all the Balls; and I believe he is as good at it, as one of your Friends at *Paris* is at making *French* Verſes: I have nothing to add to this, but to tell you you will find me ſtill a true *Bablon*.

Charles Rex.

Paris, June 15. 1655.

His Royal Highneſs to the ſame.

I Receiv'd yours of the 8th of this Month, and was very glad to find by it, that my Brother was recovered, and I hope that this will find you with him at *Tiling*. For the Treaty with *Cromwell*, it is not yet come to any Concluſion, and Monſieur *de Brienne* told me yeſterday, he believ'd they ſhould break with him; but I cannot flatter my ſelf ſo much as to credit it, tho' it is in every Bodies Mouth here. As for *Pen* he is at Sea with his Fleet, which, as is thought, is deſign'd for the *Indies*: It is late ſo that I have not time to ſay any more. I had forgot to tell you, that I would have you ask my Siſter, as from your ſelf, whether ſhe would have me continue the Superſcription of my Letter

for

for her I write, or as the King does. I would have you write to me without Ceremony as this is;

James.

Paris, March 3. 1655.

His Royal Highneſs to the ſame.

I Have receiv'd yours of the 23d of laſt Month, by which I am glad to ſee that the King is diſpatching you hither, and that you have hopes of bringing ſome good News with you. I receiv'd alſo the enclos'd Paper which we do not think to be very Authentick, and now I remember about two Months agoe I ſaw the very ſame Articles, but could not think them to be the true ones, no more than ſeveral People that ſaw them about the ſame time. It is late, and I am to go early a Hunting to Morrow with M. *d'Eſpernon*, and have ſo little to ſay, that I do not write to the King by this Poſt to trouble him with a Letter, but leave it to you to make my excuſe.

James.

Colen, May 25. 1655.

King Charles 2. *to the ſame.*

MY Lord *L.* made my Excuſe to you laſt Week for my not writing, but now I have ſome Particulars to acquaint you with. The firſt is, that I have writ to my Brother, that if he does not go into the Field this Summer, and has nothing to do, and I believe muſt not ſtay in *France*, that my Siſter and I would be very glad to ſee him here, at leaſt if there be any thing form'd for him to imploy himſelf

himſelf in. I am confident this place will not be ſo much out of the way to it, or that his coming hither will be any inconvenience to him at all; and beſides, I hope my Bro. does not ſo much give over our great Buſineſs, but that we may be thinking of a new Deſign in *England*, of which, I aſſure you I have much more hopes of ſince *ONeal*'s coming over than I had before; I believe neither he nor I will repent our ſelves for the venturing of that which ſo many of his Forefathers have given him ſo good an Example in; and I am confident that his being there will be of very great uſe to me, for I aſſure you, he has behaved himſelf like a *Bablon*. I do not think the *Spaw* a fit place to meet in, for beſides the exceſſive dearneſs of the place, 'twill be impoſſible to do any buſineſs whilſt we are there; and beſides, this place is ſo little farther, and the Conveniences in all reſpects ſo much the greater, that I believe this will be the fitteſt place. As for *L. J.* coming, I have intimated ſo much to him by a ſecond Hand of the deſire I have to ſee him, to the end you mention, that if he have any Inclinations to come he will lay hold of it; and truly I think 'tis the likelieſt means of getting that right underſtanding, which I am ſure you know I ſo much deſire. I do very much wonder where my Lord *Aubigny* could have that Intelligence concerning the Duke of *N.* I am confident it could not come from hence, but I have written to my Lord *Jermin*, to ſee if he can find from whence the other had it, for I do hope yet 'tis only gueſs.

Pray ſend me ſome of *Dupre*'s Opiat and Water for the Teeth.——

IF

Collen, June 8. 1665.

King Charles 2. *to the ſame.*

IF the Letters from *France* were the only motive to make me believe the Concluſion of the Peace between them and *Cromwell*, I ſhould yet have ſome hopes, but that the laſt Letters from *Flanders* do ſo confirm this Opinion, that for my part I conclude it a Peace; and that being ſo, I think there is leſs doubt that my Brother ſtay where he is; therefore I do not only continue in the mind I was of in my laſt, but have more reaſon every day than other to conclude my Brother's coming hither very neceſſary, ſtill ſuppoſing the Peace made; for tho' I believe with you 'tis little thought that the *Spaniards* will fall out with *England*, yet I aſſure you, my Intelligence from thence gives me ſo great hopes of it, that I cannot hinder my ſelf from building Caſtles in the Air. I have in this incloſ'd given my Brother again my Opinion, how neceſſary his preſence here will be to me. There is one Particular which I have omitted, that I think very neceſſary to put him in mind of, which is, that upon his coming away he does not entangle himſelf in any Ingagement or Promiſe to the *French* whatſoever, either Negative or Affirmative. In return of your News, that my Lady *Kenelmeaky* was to come to *Paris*, I muſt tell you, that Mrs. *Delues* has made a turn or two, and comes again to our ſmall viſible Church: Whether it be Dr. *Earles*'s perſwaſions, or my Lady *Denby*'s Death that hath made this change I know not. Since the receipt of yours of the 21ſt of *May* I have receiv'd a Letter from M. *de Fiennes*, and in it a very civil Poſt ſcript

from Madam *Brigy*. I have not time this Poſt to anſwer her, but in the next I intend to do it, and ingage her in a Correſpondence with me. In the mean time I deſire you to make my Complements to her, and deſire her to let me know wherein any of my Servants have failed in point of Secrecy, for I cannot gueſs what Secret is within her reach of diſcovery, that I have truſted any body withal I like your Counſel ſo well concerning *Padre Riga* that I am reſolv'd to follow it, though I have heard much of the King of *France*'s Kindneſs to one of the Neeces, yet I cannot tell which it is, therefore pray let me know. Doe not forget to ſend me the *Gazette Burleſque* every Week. I hear my Lord *Balcarres* is coming hither fully inſtructed to make an Agreement on all Hands; I think I have ſaid ſo much to you on that Subject, that it will not be neceſſary for me to make any profeſſions how much I deſire it, only in the general, I am the ſame Man you left me. *Charles Rex.*

Collen, June 22. 1655.

King Charles 2. *to the ſame.*

MY Lord *Rocheſter*'s coming laſt Night to Town, juſt when I was beginning my Letters, is the occaſion that I am caſt ſo behind hand, that I have not time to ſay to you what I intended, but the Chancellour will ſupply that defect by writing at large to you. I have not yet had time to take a full account of his Journey, but by that little Diſcourſe he and I have had, I hope that *Cromwell* is not ſo very much eſtabliſh'd in his Government, but that a little Aſſiſtance from abroad would give him ſuch a ſhake, that it may be he would hardly recover

recover it, and as yet I do not find that he differs from *ONeal* either in the Account of things paſt, or his Opinion of things to come; which I believe will diſappoint many both here and at *Paris*.

I do not believe you will ſee *Cromwell* make Peace or War either with *France* or *Spain*, till he ſees what Succeſs his Fleet will have in the *Indies*; but I am ſtill confirmed in my Opinion, that it will be moſt neceſſary, if my Brother cannot ſtay in *France*, that I ſpeak with him here; and tho' I have ſaid nothing to him of it this Poſt, yet by the next I believe I ſhall be ready to give my Opinion more poſitively than hitherto I have done. I have this Poſt anſwered the Letter you ſent me out of *England* by the Directions the Party ſent me, ſo that if it does not come to him, 'tis none of my fault, I can ſay no more, for I am call'd upon by the Poſt for my Letter. *Charles Rex.*

Collen, July 5. 1655.

King Charles 2. *to the ſame.*

I Was invited laſt *Tueſday* to ſee a great Proceſſion that was made here for the Proſperity of the Pope in his undertaking the general Peace of Chriſtendom, which was the cauſe that hindred me from writing to any body at *Paris*, but I commanded the Chancellour to anſwer that Particular in your Letter, which was in Cypher, ſo that I can ſay no more of that till I hear further from you. I do not find by any thing that Mr. *Mountague* has brought from Court, that you are at all nearer knowing what the Cardinal will do for my Brother. Here you were two Months ago, and tho' my Lord *Rocheſter* has not brought over with him any particu-

lar Deſign, or that I can ſay poſitively I ſhall be able to employ my Brother as ſoon as he comes, yet upon the Diſcourſe I have had with him, and as things now ſtand, it will be moſt neceſſary for my Brother to come hither, ſtill ſuppoſing that he cannot ſtay in *France*, for I am confident we ſhall have ſomething to do, which I think is ſo little believed where you are, that it were eaſier to perſwade Sir *John F*—— he is no good Poet in *French*, than to make them think the other. All that I can ſay to you at this diſtance, to make you believe, at leaſt to ſuſpend your Judgment, that I am not altogether Sanguin in this Particular is, that when you and I have talked together one half Hour, I am confident you will find that I am not without ſome ground for being of this Opinion. My Cloaths are at laſt come, and I like them very well, all but the Sword, which is the worſt that ever I ſaw; I ſuſpect very much that it was you that made the choice, therefore you have no other way to recover your Judgment in that Particular, but to make choice of a better, and if you go to the Shop where I bought mine, when I came out of *Paris*, you can hardly be miſtaken: My Brother can tell you where it is. I would anſwer Mrs. *Bregy*'s Letter now, but that I have an Imagination by the reading of hers ſhe has no great mind to continue the Correſpondence, and therefore defer it till I ask you your Opinion concerning it. *Charles Rex.*

Collen, July 13. 1655.

King Charles 2. *to the ſame.*

I Have little to ſay to you this Week, only tell you that the Ambaſſadour is at laſt arrived, and tho'

tho' he has not yet made the Propoſition to me, that is to do the Buſineſs, he has enlarged himſelf ſo in his Preamble, that without running the danger of being burnt for a Witch, one may gueſs at it to that degree, as to believe the Contrivers Mortal Men. I have written to my Brother, that in caſe he goes to *Landrecy*, to have a care how he engages himſelf in the drawing of the *Iriſh* from the Service they are in, till he is aſſur'd whether his ſtay in *France* be certain or not..... You will..... come in a very good time to *Collen*, for my Siſter will be here the latter end of this Month; ſhe tells me, that the Queen has anſwered her Letter, but I find it is but *coſi coſi* in point of kindneſs.

The Original is here for ſome Lines torn out.

Charles Rex.

Collen, Auguſt 17. 1655.

King Charles 2. *to the ſame.*

I Receiv'd yours from *Marole* of the 19th of the laſt not till the 28th, which is the only Letter I have receiv'd from you ſince your coming to the Army; nor do I believe we ſhall hear very often from you, if you are ſo far advanc'd into the *Spaniards* Quarters as the Report goes here: You muſt not expect to hear from me very often as long as my Siſter is here, for you may eaſily gueſs, that I will be in her company as much as I can while ſhe ſtays here; and indeed *Collen* is not a little altered, for from having very little Company, and ſome of thoſe worſe than none, we have now as good as can be, and paſs our time as well as People can do that have no more Money, for we Dance, and Play as if we had taken the *Plate-Fleet*, tho' I am confident

our Loſſes are not ſo great as *Cromwell*'s is, who for certain has receiv'd a very conſiderable one at *Hiſpaniola*; the particulars hereof you will hear from others. I have no more to ſay at preſent,

Charles Rex.

Bruges, Auguſt 18. 1655.

King Charles 2. *to the ſame.*

YOU will ſee by my laſt Week's Letters, that the Reſolution I have taken concerning my Brother's coming hither, does agree with what he has directed you to ſay in yours of the 11th upon that Subject, ſo that I hope if this ſhould find you ſtill at *Paris* it will be the laſt that will do ſo; I did believe that *Gravelin* would be the beſt way for you to take, which made me name it in my laſt to my Brother, and I have ſent to my Lord Lieutenant, who is not yet come from the Army, to take order that that Paſs you have already ſhall be ſufficient. I do ſee that your Intelligence at the Palace Royal of what we do here is as nefretick as it uſes to be, by what you ſay concerning the Presbyterians, tho' I muſt tell you, that a Perſon of Quality, as I am informed, of that Party has made his Applications to *Cromwell*, and that they are very intire together underhand, tho' nothing appears of it yet publickly; when you are here you ſhall know what grounds I have for this. I hear nothing yet of *Janſenius*, which I wonder at ſince 'tis ſo long ſince he ſet forth, and the Wind as 'tis now always good; when he comes I will tell him the Requeſt you have made in his behalf, and give him the aſſurance of the place.

I will

I will try whether Sir *S. Compton* be ſo much in love as you ſay, for I will name Mrs. *Hyde* before him ſo by chance, that except he be very much ſmitten it ſhall not at all move him Pray get me prick'd down as many new Corrants and Sarrabands and other little Dances as you can, and bring them with you, for I have got a ſmall Fiddler that does not play ill on the Fiddle.

Charles Rex.

Collen, Septemb. 14. 1655.

King Charles 2. *to the ſame.*

I Receiv'd three of yours the laſt Week together, and one now of the 6th of this Month. I am very glad that my Brother has given the *Guidon's* place to *Schombergh's* Son, but I cannot chooſe but think of the *Iriſh* Footman that would needs leave his Maſter to ſeek a better; his Maſter ask'd him, *but what if you cannot find a better?* to which he anſwered very diſcreetly, *Why, Faith, then I will come to thee again*: I do not apply this now, only I cannot keep my ſelf from believing but that Sir *J.* was offered very little or nothing at all, or elſe *Schombergh* would have gone without it. I hope you do not take your ſelf for one of the diſpoſſeſt, for I never pretended more than to be your Croupier; indeed for *Schombergh* there is ſome reaſon, and if you, as Secretary, did upon a good occaſion give him a favourable daſh with a Pen, it could not at all be unjuſt.

You have heard before this time what changes there have been hereof late, I believe *ONeal* has acquainted you with them, and therefore I will not ſay any thing thereof. My Siſter and I go on *Mon-*

day next to the Fair at *Frankford incognito*; at our return you ſhall hear what has been done in the Action. The Dr. is one, and, for my part, I think that *ONeal* and he will lie together all the way, for they are *Buckle* and *Thong*.

It ſhall be hard but I will find ſome Buſineſs for you to come where we are this Winter, which I hope will not be in this place.

Charles Rex.

Collen, Octob. 18. 1655.

King Charles 2. *to the ſame.*

WE return'd to this place on *Tueſday* laſt, and all our Company very well pleas'd with our Voyage, for indeed it was as pleaſant a Journey as ever I ſaw, and ſome of us wiſh'd *Whereas*'s company very often. You will hear by others how my Couſin the Elector has behaved himſelf towards me; by which you will find he is not a whit changed: But at the ſame time I muſt tell you, that I have been uſed with all the Civility and Kindneſs imaginable by the Elector of *Mentz*, who truly is one of the beſt and diſcreeteſt Men that ever I ſaw; and I do aſſure you, our meeting has not been unuſeful to me; the effects whereof I hope you will ſee when 'tis ſeaſonable. In the mean time I can ſay no more, but tell you, that when we meet, which I am reſolv'd ſhall be this Winter, for I will find out ſome Embaſſy for you whereſoever I am, we will talk of that and many other things. If you ſaw the Letter you ſent me, you would find that I have been very ſparing of my Letters of that kind, and tho' I think your Counſel very good on the point, yet I think it ne-

ceſſary

ceſſary now to return this inclos'd to the Perſon, to ſatisfy him that 'tis not want of Kindneſs that has made me forbear writing of late. I believe we ſhall ſhortly ſee the Stranger here you mention; it may be, what by my Lord *Taaff*, who is his great Friend, and what by my own Obſervations, I may find out how far that Intrigue went. As for News from this place I leave to others to write to you, only in general I muſt tell you, that we are in great hopes of the Breach between *Spain* and *England*.

I have chid *Buckley* for being ſo negligent; what Excuſes he has for it I leave him to make for himſelf, for I can find out none. I have not writ to any body at *Paris* but your ſelf, therefore pray do not take notice that you have received any Letter from me this Week.

Charles Rex.

P. S.

I Have given *Buckley* a Note for you to keep the Mill going, it ſhould have been more if I had had it.

Barlemont, Octob. 21. 1655.

His Royal Highneſs to Mr. Bennet.

I Receiv'd yours of the 2d and the 10th of this Month both together, and by the laſt I find the King was not yet come back from *Frankfort*, but before this comes to you, I believe you may chance to have Letters from *Cologne*; and if there be any for me, you may ſend to us to the Army, for it is likely we ſhall ſtay yet ſome time.

We march to morrow over the *Sambre*, to go between *Guiſe* and *Landrecy*, having had News that the Enemies Army is diſperſed into ſeveral Quarters about

about *Tournay*, *Aeth*, and *Leſſines*, they ſaying now that they will not endeavour to do any thing on *Conde*, till our Army ſhall be in Winter Quarters, for our ſtay here has broken the Deſign they had to beſiege that place upon our marching from *Angre*, for they thought we would not have ſtaid ſo near thoſe places, after having put all things neceſſary for a Siege into them. This is all the News we have here at preſent. You have done well to keep the Dog and the Gun there till I come back, and be ſure not to lend the Dog to my Lord *Percy*, for tho' he be a good Shooter my Dog may fare the worſe for it.

I have ſo little to add to thoſe Letters I ſent to you by *Will* laſt Week for *Cologne*, that I will not give the King nor my Siſter the trouble, here being no other News. *James.*

Mony, Novemb. 4 1655.

His Royal Highneſs to the ſame.

I Have receiv'd yours of the 23d of this Month at *Buſſigny*, and another of the 30th at *Eſtane*, where we encamped laſt Night, and for that you wrote concerning Sir *Henry de Vic*, I will take no Reſolution in it till I be at *Paris*, for now I believe we ſhall be very ſoon there, we being here within two Leagues of *L'Afere*, and all our Army quarter'd in ſeveral Villages hereabouts, ſo that it is likely we ſhall be here but four or five days, by which time the Winter Quarters will be come, and then we ſhall begin our Journey by *Meuchi*, where we ſhall ſtay a day or two, ſo that you need not write any more, nor ſend any Letters you receive for me from *Cologn* or any other part.

As

As to the Enemies Army, the laſt News we had was, that they were about *Tuin* and *Beaumont* in ſeveral Quarters, and that they talked much of Beſieging *Cueſnoy*, but to put that out of the Enemies Head, Monſieur *de Turenne* has left in it eleven Companies of the *French* Guards, as many *Swiſſes*, and his own Regiment, who are to ſtay there till the Winter is well advanced; ſo that it is not likely we ſhall be called for back again by thoſe places.

I ſend you here inclos'd Letters for *Cologne* and *Holland*; I had wrote to the firſt place from *Marolles*, but having miſt the occaſion of ſending to you from thence, I will not give the King nor my Siſter the trouble of them.

James.

Collen, Novemb. 9. 1655.

King Charles 2. *to the ſame.*

THe Letters this Week both from *Flanders* and *England* do confirm, and augment my hopes of the breach with *Spain*, the Particulars you will receive by others, and I think I may ſay it to a *Babloniſt*, that I hope to ſee you in your Maſter's Company before many Months paſt, and indeed if I had not that hope, I ſhould be very melancholy to think of paſſing our Winter here, my Siſter intending alſo to go for *Holland* ſome time next Week.

If my * Brother can compaſs it, he will ſend you a Letter this Week of as many Languages as *Cullen* can afford. We have here a very great Intrigue between Sir *A. H.* and Mrs. *P.* which I believe will end

* *Meaning the Duke of* Glocester.

end in Matrimony, and I conclude it the rather, becauſe I have obſerv'd a Cloud in his Face any time theſe two Months, which *Giov. Battiſta della Porta* in his *Phyſonomia* ſays, foretells Misfortune. I have many other Letters to write, and therefore can ſay no more at this time. The Chancellor writ to you laſt Week to purſue the Project in *Normandy*, I pray do it carefully, for I hope good may come of it.

Charles Rex.

Collen, Decemb. 7. 1655.

King Charles *the Second to the ſame.*

YOU will find by the Letter I writ this Week to my Brother, what I have directed him to do in caſe he cannot ſtay where he is. In the mean time I have again put him in mind to diſpatch you hither as ſoon as he can, for I do not deſpair of having ſomething for him to do, and I had rather ſend for him, than have him ſent out of *France*. I can ſay no more to you now, having ſpent the time I ſhould have been a writing in examining and diſcourſing one of the greateſt Villains that ever was, which you will hear by others, only I deſire you to make haſt hither, where you ſhall be very welcome.

Charles Rex.

I Receiv'd this inclos'd laſt Night late, you will ſee what it contains, and if your Ague is not upon you, pray ſend me your Opinion of that which is deſir'd in the Letter, for I am very much troubled to know what I ſhall anſwer. If I adviſe him to come to the *Spaw*, it may be very prejudical to him in many

many reſpects; and if I diſſwade him from it, he will think that I do it not out of kindneſs, but for want of kindneſs; on the other ſide, if he could come thither without any Inconvenience to himſelf, I ſhould be very glad to ſee him; and now that I have ſaid all this, pray let me know your Opinion, that I may ſend an Anſwer this Poſt.

Charles Rex.

Inſtructions for Harry Bennet.
June 20. 1656.

1.

YOU ſhall tell my Brother that I would not have ſent you before the Ratification had come from *Spain*, if he had not preſs'd ſo earneſtly to have you come to him, and if I had not thought it neceſſary to ſay more to him againſt his going into the Field this Summer, to which I perceive many perſwade him, than is fit to be included in a Letter.

2.

You ſhall tell him my Judgment upon the ſeveral Diſcourſes I have made to you of the extream unfitneſs in many reſpects, that he ſhould think more of that matter, and that they cannot judge well of my buſineſs who perſwade him to it, and how far I am from approving the Expedient in this Particular, or any other that can fall out.

3.

You ſhall tell the Queen, that tho' the Ratification be not yet come, the Aſſurances that *Don Juan* gives me are ſuch, that I do not in any degree doubt the full performance of all that hath been treated betwixt me and the Miniſters, in the confidence

fidence of which I had already ſent for my Brother to come to me, if I had been furniſh'd with Money for his ſupport.

4.

You muſt remember what I formerly told you how much the Count of *Fuenſaldagna* and *Don Alfonſo* inſiſted, when we firſt entered into the Treaty, upon the point of Secrecy, and how jealous they expreſſed themſelves to be that any thing ſhould be known in *France*, which paſt between us, and how they obliged me from any Communication of that matter for ſome certain time; and this is the true reaſon why I have not been able to impart, what I deſir'd, to the Queen of it.

Charles Rex.

Bruges, July 7. 1656.

King Charles 2. *to the ſame.*

I Am very glad to find by yours of the 30th of the laſt Month that you have had ſo good a Reception at the *Palais Royal*; and tho' I ſee there was not ſo much danger of my Brother's going into the Field, as I did imagin when you went from hence, yet I do not at all repent my ſending of you at this time, for I do perceive there is not one there that has one Leg a whit ſhorter than the other, and if it were not for the Expectation of what we are like to have out of *Spain*, there might be * *Nefretick* Motions made. I do now expect every day to hear out of *Spain*, and conſequently to ſend you Orders what you are to do.

* *'Tis ſo in the Original; as for the meaning of the word 'tis left to the Reader to gueſs it if he can.*

I do

I do not write this Week either to my Siſter or Brother, for I believe when this comes to your Hands, they will be both out of *Paris*; and beſides I have nothing to ſay, therefore make my excuſe to them. My Lord *L.* and *ONeal* will let you know all the News here, ſo as I have nothing more to ſay, only that you beſpeak ſix pair of Shooes of my *Paris* Shoomaker, ſuch as he ſent me laſt, and as many Pair made by *Dyke*, but tell this latter that three Pair muſt be black and the other colour'd, and a little bigger than thoſe he ſent me laſt. Remember to beſpeak my Sword.

I had almoſt forgot to tell you, that my Lady *Balcarres* has again preſt me to write to my Siſter, that ſhe might be a Lady of her Bedchamber, I would therefore have you ask her from me, whether the thing be poſſible to be done, that accordingly I may govern my ſelf, for I would not write to her for any thing that were unreaſonable, or that ſhe might refuſe.

Charles Rex.

Bruges, July 28. 1656.

King Charles 2. *to the ſame.*

YOU will hear from the Chancellor, who is at *Bruſſels*, what he is doing there, ſo as I ſhall ſay nothing of that.

I receiv'd two days ſince a very civil Letter from *Don Juan* by an Expreſs, to congratulate with me the Ratification of the Treaty, and in his Letter he mentions that there are Orders come for * *los medios cada mes* for me, the Proportion I know not yet, nor have told any body of it, but thoſe that will let it go no farther.

* *Monthly Remedies or Supplies.*

I hope

I hope it will not now be very long before I ſhall be able to ſend you more poſitive Orders than I can do at preſent: Pray make my excuſe to my Siſter and Brother for not writing now; for beſides having nothing to ſay, I have had no Letters from them theſe two Poſts. Remember me very kindly to my Lady *S.* and Monſieur *H.* and tell them, I hope their Journey to *Bourbon* will be prevented by one this way; for I aſſure you, theirs and their Miſtreſſes preſence in *Holland* were much more for all our good than the being where they are. I have nothing more to ſay, but to put you in mind that my Cloaths and other things be ſent hither as ſoon as may be. *Charles Rex.*

Bruges, Auguſt 11. 1656.

King Charles 2. *to the ſame.*

I Have very little to ſay to you this Week, having written to my Brother all I could think of, to whoſe Letter I refer you, only I would have you omit no diligence to haſten my Brother's Journey all you can.

I have taken Pills this Morning, which hinders me from ſaying much more to you, but I believe my Lord *Briſtol* and the Chancellor will ſupply that defect, ſo as I ſhall add no more to this, only to tell you that I ſhall be in great Impatience till I ſee you, for I am confident I ſhall tell you ſomething when you are here that will not diſpleaſe you, and as yet you know nothing of.

I would have you bring me two Bever Hats. For my Lord *Briſtol*'s Sword I do by no means like it, therefore do not beſpeak mine of that Faſhion.

Charles Rex.

Bruges,

Bruges, Septemb. 1. 1656.

King Charles 2. *to the ſame.*

I Don't write to my Brother now, becauſe I hope he will come away before this gets to *Paris*, but only venture this, that in caſe you ſhould be ſtill there, to let my Brother know that the reaſons for haſtning his Journey do every day increaſe. I did intend to have written thus much to himſelf, but having done the ſame thing ſo often, I thought that this was ſufficient to let him ſee that my Mind is not changed.

You will find by my laſt, that tho' I am furniſhed with one ſmall Fidler, yet I would have another to keep him Company; and if you can get either he you mention, or another that plays well, I would have you do it.

Charles Rex.

P. S.

NOW the Poſts here are open, I have directed the Secretary to write to you my Opinion concerning the Frigats in *Spain*.

Letters by the famous Mr. Abraham Cowley (*then Secretary to my Lord* Jermyn) *during King* Charles *the Second's Exile; written from* Paris *to Mr.* Henry Bennet, *afterwards Earl of* Arlington.

Paris, April 30. 1650.

SIR,

I Beg your pardon that I gave you not this Cypher whilſt you were here, and that I was not with you to kiſs your Hands when you parted; I ſhall now write conſtantly when there is any thing worth your Information, and not give you any trouble when there is nothing, which ſhall be the rule I will ſo faithfully obſerve that the Week when you hear not from me, you may be confident I have not met with the knowledge of any thing of Importance. The *Scotch* Treaty is the only thing now in which we are vitally concerned; I am one of the laſt Hopers, and yet cannot now abſtain from believing that the Agreement will be made: All People upon the place incline to that Opinion, the *Scotch* will moderate ſomewhat of the Vigour of their Demands, the mutual neceſſity of an accord is viſible; the King is perſwaded of it, and all Mankind but two or three mighty tender Conſciences about him; and to tell you the truth, (which I take to be an Argument above all the reſt) *Virgil* has told me ſomething to that purpoſe.

But

But nothing had been actually concluded when the laſt Letters came from *Holland*; the Prince of *Orange's* abſence from *Breda* (upon his own buſineſs at the *Hague*) has been the chief cauſe of this retardment, but next Week will put an end to our doubts in this point; in the mean time the *Engliſh* are making ſuch Preparations for a War, that one may eaſily ſee they really believe they are to have one: Prince *Rupert*, with twelve Ships, is block'd up in the Road of *Lisbon* by fifteen of the Parliaments; but is not in much danger, for both Fleets are under command of the King's Caſtles there, who promiſes to let the Prince's paſs out three Tides before the other, and even without that Favour, the Prince writes to the King that he believes himſelf able to force his paſſage. The Affairs of *Ireland* do every day grow worſe and worſe; *Cromwell* writes to the Parliament for his excuſe that he comes not back to them ſo ſoon as they deſir'd, that he conceives himſelf very near the end of this work there, and would fain finiſh it before his departure, which nothing ſure can prevent but a ſudden beginning of a new War in *England*. I doubt not but you have heard of the Court's Succeſs here, that they have taken *Bellegarde*, reduced all places but *Stenay*, and will be returned hither next Week; yet the old Princeſs of *Conde* had the Confidence (contrary to expreſs command) to come to *Paris* this Week, and to deliver a Petition to the Parliament, which contain'd two Requeſts; firſt that her Sons might be brought to a preſent tryal, or immediately ſet at liberty; the ſecond that ſhe might have the Parliaments word and ſafeguard for her remaining in ſafety here to ſollicit her buſineſs; but the Parliaments Anſwer has been more favourable to the Court than her Friends had made

Paris, May 17. 1650.

S I R,

AT laſt Mr. *Rainsford* is arrived here, and has brought the good News of the Concluſion of the Treaty in an Agreement; this they would willingly conceal for a little while (till the King be ready to tranſport himſelf into *Scotland*, which will be about a Month hence) but it hath already taken vent, and is written by every body from *Breda*, and by this time undoubtedly known by the Parliament, for they do not uſe to be the laſt that are acquainted with what is done by us. I have not yet ſeen a Copy of the Conditions, which I believe are very hard ones, but it is a thing that deſerves a good price. The King was to be at the *Hague* laſt Night, and is now buſie in diſpatching away perſons into all parts, for the obtaining of ſome Aſſiſtances in this new and hopeful entry into his Affairs; the *Scotch* Commiſſioners have already given him five thouſand pound, and promiſe more for the Preparations and Expences of his Voyage. My Lord *Montroſs* is landed in the North of *Scotland*, his Forces (compos'd of about ſix hundred Strangers, and the reſt drawn out of the Iſlands) are about two thouſand; which I believe will be employ'd in *Ireland*; for tho' he be not by name excepted againſt in the Agreement, yet the Confirmation of their late Parliaments excludes him out of the Peace; and I cannot ſee what other uſe can now be made of him. My Lord has written to the King fully to the effect that you deſire, and commands me to preſent to you, with his humble Service, his Excuſe that he tells you not ſo himſelf. I am, *S I R*,

Your moſt humble, and moſt faithful Servant,

A Cowley.

S I R,

Paris, May 28. 1650.

SIR,

I Have receiv'd the Favour of two of yours by Mr. *Howard*, and my Lord a large one at the ſame time, to which you will receive a particular Anſwer by the next; for at this preſent he is ſo buſie that he is not able to write. The inclos'd print will let you ſee the Misfortune that is already befallen my Lord *Montroſs's* Forces in the North, and the little reaſon thoſe Men had who would have relied upon that deſign for the King's recovery. The King is ſtill at *Breda*, having put off his Journey to the *Hague*, where he appointed to meet the *Scotch* Commiſſioners, who were gone to raiſe Monies in *Holland*, for two reaſons; firſt, becauſe Affairs are in a great Embroilment there, by occaſion of the States of *Holland's* opiniaſtrete in preſſing the disbanding of 105 Companies, which the Prince of *Orange* and ſome of the other States proteſt againſt, and the Conteſtation continues with ſo much heat as endangers an open Rupture; and ſecondly, becauſe the ſame States of *Holland* (perhaps incited to it in part by their oppoſition to the Prince) have diſpatched one *Scape* in quality of an Ambaſſadour into *England*, to acknowledge their new Republick, and treat with it; which Affront will hinder the King from ſtaying in their Country. I hope we ſhall hear by the next that he is going for *Scotland*, for it would be a ſhameful thing if *Cromwell* (who is every day expected in *England*) ſhould be at *Edinburgh* before him; but as yet, ſince the concluſion of the Treaty, no advance has been made towards that Voyage. The Biſhop of *London-derry* arrived lately at *Breda*,

out of *Ireland*; he ſays, That by reaſon of the Jealouſies of the Catholicks (which has been the ruine of that Kingdom) my Lord of *Ormond* is retired to a private Houſe in *Connaught*, and has left to my Lord *Caſtlehaven* the command of the Army, and to my Lord *Clauricard* the Precedence in Civil Affairs. Mr. *ONeal* writes to my Lord, that he himſelf is coming away, and that he believes my Lord of *Ormond*, Lord *Inchequeen*, and divers others will ſuddenly follow. Now concerning the Condition of this place, it is almoſt as ill as the *Spaniards* could wiſh; the Troubles at *Bourdeaux* begin again, for the Parliament there, againſt expreſs Orders of the Court, undertake to protect Madam *la Princeſs*, and the Duke *de Bouillon*, with other baniſht or diſcontented perſons that fly thither; and the D. *d'Eſpernon* has already ſeized on two places, and in a manner begun the War. The Mareſchal *de Turenne* who has finiſht his Agreement with *Spain*, is to have an Army from them, and has already very conſiderable Forces, with which he is ready to take the Field; the *Spaniard* is upon the Frontiers with their Army; the whole Kingdom's as much diſcontented as ever, and ſo great are the wants of the Court, that this very day the *Swiſſes* are in a Mutiny for their Pay, refuſe to do Duty, and threaten to march away to morrow. In this diſtreſs of the Finances Monſieur *Demery* is dead, and Monſieur *D'avaux*, who was joyned with him in the Surintendancy has quitted the Charge, which is conferred upon Monſieur *de Maſon*, but that choice (as commonly nothing pleaſes the People when they are once in diſtemper) is generally diſapproved. Another thing frightens the Court as bad as all this, which is, the appearance of being forced at laſt to ſuſtain a new War from *England*; for many of their

Ships

Ships have been taken of late by the *Engliſh* (among which the Cardinal's own, given him by the Queen of *Swedeland*, is ſaid to be one) inſomuch that the Parliament of *Roxin* have in revenge laid an Embargo upon the *Engliſh* Goods in thoſe parts. In theſe Diſorders the Court is removing to *Compeigne*, and goes from hence next *Tueſday*. Mr. *Long* writes word to my Lord, that the King approves of all was propos'd concerning the Duke's ſending you into *Italy*, and that all things for that end will be diſpatcht ſuddenly. I ſhould write to Sir *G. Carteret* but have not now time, be pleaſed to let him know the Misfortune that is befallen to Sir *Will. Davenant* (in which I believe he has a ſhare) it is that he is taken, and now Priſoner with all his Men in the *Iſle of Wight*. We are ſtrangely purſu'd in all things, and all places, by our evil Fortune; even our retreats to the other World (except by death) are cut off. I am,

SIR,

Your moſt humble, and moſt faithful Servant,

A. Cowley.

The D. of *York*'s Books will be here two days hence, there ſhall then be care taken to have them bound.

Paris, June 11. 1650.

SIR,

THE appearances of great Diſorders ſuddenly to happen in this Kingdom, which I mention'd in my laſt, do encreaſe daily, and nothing but the Hand of God (which at this time ſeems likelier to fall heavy upon this place than to relieve it) can

avert

avert them. The Town of *Bourdeaux* has received the Princeſs and *le Duc d'Anguien*; the Magiſtrates ſhut the Gates againſt them, but the People broke them open, and let them in with great ſigns of Affection: The Parliament ſince that declared they would protect them, and either have or will write to all other Parliaments to deſire them to interpoſe for the Liberty of the Princeſs: That of *Tholouze* is ſaid to be already joyned. The Province has taken Arms, and by this time beſieges *Cadillac* the Duke *d'Eſpernon*'s Houſe, to whoſe aſſiſtance the Mareſchal *de Meilleray* is marching. The Duke *de Bouillon* is in the *Vicomte de Turenne* with a Body of five or ſix thouſand Men; all theſe Provinces are on the point of taking Arms, and the reſt of the Kingdom is in too great a diſpoſition to follow the Example. The *Spaniard* is on all ſides very ſtrong, and from *Flanders* is now advanced within twenty Miles of *Compeigne*, where the Court yet remains; two days ſince they ſent for the Duke of *Orleans* to adviſe what courſe they were to take in their Diſtreſſes, and to perſwade him to go to *Bourdeaux*, which it is thought he will refuſe. He is this day expected here again, and I fear every one now will produce ſome new trouble. Our laſt Letters from *Holland* tell us, That the King is upon the point of parting, but had yet received little of the Money's he expected from the *Scots* Commiſſioners. This day news is come, that at *Edinbourgh* they have hang'd, drawn, and quarter'd the Lord *Montroſe* in a cruel and barbarous manner; the Particulars I know not yet; and ſome ſay he was firſt hang'd, then beheaded, and then quarter'd: If this be true (as I fear it is) it is a great and moſt unſeaſonable misfortune. And tho' I doubted no more of his death after his being taken, than of his being beaten, af-

ter

ter I heard of his landing; yet I thought that either he would not have fallen alive into their Hands, or that even in that caſe they would have contented themſelves in this Conjuncture with the Revenge of of ſimply putting him to death without ſuch extraordinary Circumſtances of Cruelty. I am confounded with the thought of it, but by the next ſhall be better able to give you an account of it. I am,

SIR,

Your moſt humble, and moſt faithful Servant,

A. Cowley.

My Lord preſents his humble Service to you, and deſires you to do it for him to Sir *G. Carteret*, to whom he writes not till the next; I deſire you to do the ſame for me, having nothing to ſay to him more at this preſent.

Paris, June 21. 1650.

SIR,

THE laſt Week my Lord having written all the News to Sir *G. Carteret*, I did not believe it reaſonable to trouble you with the Repetition; ſince then I hear from *Calais*, that the King embarked at *Schveling* the 10th of this Month, and had a very fair Wind for his Voyage to *Scotland*; but my Lord *Biron*'s not arriving yet here (who was to be diſpatcht immediately upon the King's parting) makes us have ſome doubt of this Intelligence; and there is lately an Information come from *Scotland*, which if it meet the King before his Landing there, may poſſibly have altered his Reſolution. We have been often troubled to underſtand the *Scots* Motions, they are ſo obſcure, and ſeem ſo irregular,

irregular, but they never did any thing more unſearchable, than one proceeding of theirs ſince the Treaty: It is, that they have baniſht my Lord Duke *Hamilton*, Lord *Lauderdail*, Lord *Calander*, Lord *St. Clair*, Lord *Lee*, Lord *Dumferlin*, Lord *Branford*, Lord *Eithim*, and ſome four more Lords ſince the Agreement, without any Intimation of ſuch an Intent during the Treaty; and my Lord *Calandar* arriving at the *Frith* ſome few days ſince was not ſuffered to land, but ſent back immediately. Mr. *Murray* is likewiſe returned to *Holland*, and ſome ſay is one of the baniſht perſons, which would yet render the buſineſs more myſtical. In fine, nothing but Time can explain this; and he that will undertake to comprehend theſe Men's Actions, and reconcile them with themſelves and their Profeſſions, the next Task I would ſet him upon, ſhould be to write a Comment on the *Revelation*. The manner of my Lord *Montroſes* Execution the adjoyned Print will tell you: *Urrey* and *Spotſwood* were beheaded the next day. The death of the former is yet look'd upon as a Plot of his by our Polititians. *Cromwell* was received with great Triumph and Magnificence at *London*; and it is believed, will have ſome new great Title conferr'd upon him (as Protector of the People's Liberty, or ſome ſuch like) on purpoſe to put out *Fairfax*, and give the Command of all into his Hands. This Court returns hither on *Saturday* or *Monday*. The *Spaniard* has taken *Catelet*, and *la Guiſe*, and is now before *la Capelle*. All that concerns the Duke and your Company, I ſuppoſe, you are to know by my Lord *Biron*, whom we expect hourly. I am,

S I R,

Your moſt humble, and moſt faithful Servant,

A. Cowley.

S I R,

Paris, July 9. 1650.

SIR,

IT is now eight and twenty days ſince the King embarked, and yet we have nothing from, or of him, but uncertain and contrary Reports, of which the moſt probable ſeems to me to be that of his landing in *Orkney*, for he bore up towards *Norway*, and if his Voyage had been ſhorter, we ſhould undoubtedly have heard ſooner of him. It is hard to ſay what kind of Reception he will find; this is evident that the *Scots* will endeavour to deferr the War with *England* as long as they can, and if that be not poſſible, to manage it only by Presbyterian Hands, if that be poſſible too, which I hope it will not, when once they are engaged in it, and ſhall be nearlier preſt by their fears of Ruine, than by their hopes of an uncommunicable Victory. And this little is all I can ſay of our Affairs at home. This Court has had a moſt fortunate and ſeaſonable Succeſs in the *Spaniards* being forced to raiſe their Siege from *la Guiſe* by want of Proviſions, and to retreat a little backwards. Two hundred *French* Horſe (of which my Lord *Digby*'s Troop was one) fell upon a Convoy of one thouſand Horſe, and three hundred Foot, broke ſuddenly amongſt them, killed about one hundred, took five, and all the Proviſions and Ammunition which they carried, upon which diſappointment the *Spaniard* was compelled to quit the Siege. This makes the King's Journey towards *Bourdeaux* more ſecure, and the trouble that ſtill remains after a thouſand good fortunes which they have had, ſhews, methinks, that the leaſt check would be very dangerous. I ſend you the laſt Papers

pers from *Bourdeaux*. The Court is gone with a Reſolution to buy a Peace there at any rate but the liberty of the Princeſs; even in theſe three or four days that they are parted from hence, new attacks have been made againſt the Cardinal with great violence by many in the Parliament, upon the occaſion of the *Bourdeloiſes* Addreſs to them for a Conjunction; but the moderate Party prevails yet ſo far, as that they only joyn in a Requeſt to the King to recall Monſieur *d'Eſpernon* without any mention of the Princeſs. Yeſterday the Court removed from *Fontainbleau*, whither Mr. *Mountagne* was commanded to attend it for their Anſwer in what they intended to do to enable the Duke of *York* to come to their Army, which will not be known till *Monday*, and is the reaſon that my Lord defers the giving his Highneſs any account till next Poſt, and deſires your ſelf and Sir *G. Carteret* to excuſe his not writing by this. I cannot hear of any other Packets come for you from the Court, than what I have ſent you; I ſuppoſe the laſt from my Lord *Biron* to Sir *G. Carteret* contained ſome encloſed Letters to you. I am moſt truly,

S I R,

Your moſt humble, and moſt faithful Servant,

A. Cowley.

Pray preſent my humble ſervice to Mr. *Crowder*, and tell him, that he has left our Church here like a Rat, for it is ſince quite fallen. The Queen of *France* at her laſt Viſit to ours, deſir'd her moſt earneſtly to ſuppreſs it, ſaying, *That ſhe conceiv'd (upon moſt deep and ſolid grounds) that her Son's late Troubles had been in part cauſed by the publick permiſſion of Heretical Worſhip in his own Palace*; ſo that now we are interdicted. The Duke's Books are here, pray

let

let us know his pleaſure, what he will have done with them; for if he reſolve to come away, perhaps he would not think fit that they ſhould be ſent from hence.

Paris, July 16. 1650.

SIR,

IT is a wonderful thing that now after ſix Weeks time that the King is parted we have no certain News of him; ſome report that he landed at *Orkney*, others at *Edinburgh*, and others (which is the lateſt Information) at *Spy* near *Aberdeen*; that being purſued by ten Parliament Ships, he put himſelf and moſt of his Company into three Fiſhermen, and ſo got thither, whilſt his own Ships were ſtill followed by the *Engliſh*, who knew not that he had quitted them. This Relation was brought hither yeſterday by a *Dutch* Gentleman, who had it later than the laſt Letters from *Holland*, ſo that it cannot yet be confuted tho' it ſhould be falſe. The *Scotch* Letters are all carried to the Council of State in *England*, and there retained, ſo that that paſſage of Intelligence is ſtopt up. In *England Fairfax* has laid down his Commiſſion, they ſay, becauſe he would not enter with his Army into *Scotland*, which was the Parliament's Order, and *Cromwell*, you may be ſure, is made General, and already gone from *London* towards the *North*. There is no other News at preſent. The *French* Court lies this Night at *Poictiers*; ſince my laſt there has been no Action neither in *Guienne* nor *Flanders*, nor is there any occaſion to add to your trouble. I am

SIR,

Your moſt humble, and moſt faithful Servant,

A. Cowley.

SIR,

Paris, July 23. 1650.

SIR,

I Send you herewith a Print in which you will find many things of Conſequence; the chifeſt is the *Engliſh* Declaration of the cauſes of their invading *Scotland*, by which we are aſſured of a War betwixt thoſe Nations; and tho' I believe the *Scots* will have an hard and dangerous work of it, yet I think it would not have been leſs ſo, if the Quarrel had been deferred a year longer, for the total Reduction of *Ireland*, and the gaining more Root in *England* would have weighed equally with any Succours which *Scotland* could have from abroad, without a general Peace, which is too remote a thing for us to build our Deſigns or Hopes upon. Not that *Scotland* alone is able to make ſufficient reſiſtance for their own defence, much leſs to bring the King Conquerour to *London*, but we are to hope that the King's and the Presbyterian Party will upon this occaſion take Arms in *England*, and if they do not do it now, it is not likely they would at another time. Upon this point chiefly depends our Fortune, and it will quickly appear, for the War is already begun. The *Engliſh* have taken above 15 of the *Scotch* Veſſels (for I'me ſure that name will reach to them, they themſelves ſay of their great Ships) and the Land Army is advanc'd near *Berwick*. I will not add here the Authentical News we receive juſt now from *Scotland*, becauſe it is written to Sir *G. Carteret*. That which you you will find in the Print of the Biſhop of *Cloſher's* defeat in *Ireland* is a diſmal particular, but we have a little glimpſe of Conſolation remaining yet, in that

that there is yet no other Authority for it. I have ſeen a Letter from *Ireland* of the $\frac{19}{29}$th of *June*, which gave good hopes from thence, even to the recovery of what is loſt, if any Diſorders were to happen in *England*, or a War with *Scotland*: My Lord of *Ormond* and the Council (now better reconciled than ever) were in *Connaught*; and an Army was marching from thence to the relief of *Tecroban*, but if this of the right Reverend General in God be true, all is daſht. My Lord *Biron* has received yours this Morning, and will anſwer it, I believe, (for I have not ſeen him ſince I ſent it to his Lodging) this Poſt. I do not take punctual notice of the receipt of yours becauſe I do moſt certainly receive all, and they require little anſwer beſides the acknowledgment of my humble thanks for your Favour and Kindneſs, which is a thing of that nature, that I hope you have enough good Opinion and Juſtice for me, as to ſay it to your ſelf from me as often as you do me the Honour to think upon,

SIR,

Your moſt humble, and moſt faithful Servant,

A. Cowley.

L *SIR,*

Paris, August 6. 1650.

SIR,

YOU may now very reaſonably expect to hear from me every Poſt, for it is ſuch a Conjuncture of Buſineſs, as one would think ſhould afford matter enough to write daily; and I doubt but you will be angry at a Letter that ſhould leave you not at all wiſer at the latter end of it, than you were at the beginning; yet many ſuch a one you are like to have from me even at this time, and more particularly even at this preſent; for I am able to add very little to the incloſ'd *Gazette*: I cannot tell you in what Condition the King is in *Scotland* (for tho' undoubtedly he has been received with all publick Significations of Welcome, yet there is a Villanous Report flies about, of the commanding all his old Servants that waited on him thither to leave the Kingdom, or at leaſt, the Court; but we have nothing yet from authentick Hands) nor in what condition *Scotland* is for the defence of him, and it ſelf, nor whether *Cromwell* be yet advanced as far as *Barwick*, nor what the Presbyterians and the King's old Party are like to do upon this great Opportunity in ſeveral parts of *England*, of which we are in general bidden to hope well but muſt do it yet very implicidly. Upon the whole matter, I conceive our Buſineſs much more hopeful than it was; but

but not yet brought into ſuch a form as will admit of any good or perſpicuous account of it; but before this Months end, either this new life of it will be cruſht out again, or it will grow up into an able and ſturdy Conſtitution. We are told, that the King of *Portugal* is reſolv'd to make War upon the Parliament Fleet, which ſtill blocks up the Harbour of *Lisbon*, that for that end he is preparing many Ships to be joyned with Prince *Rupert*'s Fleet, and be commanded by him; and yeſterday there is a News come that the Rebels Fleet is recalled, whether upon that Apprehenſion, or ſome new deſign, I cannot judge, nor affirm abſolutely the truth of it. The *French* Court cannot come to an Agreement (as it is hoped) with thoſe of *Bourdeaux*, but is now reſolved to endeavour the Reduction of them by force, for which they are making great Preparations by Sea and Land, and the others no leſs for their defence, and have now declared againſt the Cardinal, as well as Monſieur *d'Eſpernon*. If this work be not ſuddenly ended one way or other, we are to expect great Diſorders over the whole Kingdom, in which their Party (that is, the diſcontented Party) is ſtrangely numerous and ripe for a Civil War. The *Spaniſh* Army has been this Fortnight before *La Capelle*, and we expect every moment to hear of the loſs of it, it being wonderful that it has held out ſo long. I am,

SIR,

Your moſt humble, and moſt faithful Servant,

A. Cowley.

My Lord preſents his moſt humble Service to you, and will anſwer your laſt by the next: He deſires your Excuſe, and that you would make it likewiſe for him to Sir *G. Carteret.*

SIR,

Paris, Auguſt 13. 1650.

SIR,

WE have at laſt received ſome Letters from the King's Company; never-failing Mr. *Boſwell* is arrived in *Holland*, and has ſent them to us, he himſelf I ſuppoſe is by this time back again with the King; they import, that he is moſt affectionately receiv'd by the whole Nation, that they are united as one Man in his and their own defence, and have already raiſed very conſiderable numbers; a part of which (as Mr. *Boſwell* reports, at leaſt ſixteen thouſand Horſe and Foot, which is more than *Cromwell* carries againſt them) are encamped at *Duns*, and had before he came away (which was the $\frac{17}{23}$ of the laſt Month from *Falkland*) taken three Troops of *Engliſh* Horſe, and expected daily to ſee the whole *Engliſh* Army, ſo that without doubt there has been much Action before this time, and we have flying Reports here of loſſes and revolts from *Cromwell*, but I dare not yet bite at them. One thing our Letters bring which though it be very inſcrutable, yet that it is to be look'd upon as moſt ill News is plain enough, it is the proceedings of the *Scots* againſt the *Engliſh* that waited upon the King thither, the Particulars of which you will find in the inclos'd Liſt of their Names. Whether this be a Bigottry of the Miniſters, or a Jealouſie of the King's old Party, or an over Confidence of the Presbyterian Strength, or a pure Enmity and Animoſity againſt us, I know not, but ſure I am that it will make the Work infinitely more ha-

zardous, and even if they ſhould prevail leſs advantagious to the King and all his Friends; which latter nevertheleſs (after all this) I fear not ſo much as the former. At *London* the Parliament on a ſudden in the Night ſeized upon all the Horſes in the Town, and have already mounted with them 2000 or 3000 Men, which makes ſome believe they have ill News out of the *North*, but I think it is only to prevent Riſings in *London*, which they apprehend now above all things in the World, and they ſay have reaſon to do ſo, both there, and in many other parts of the Kingdom though nothing is yet broken out. Though you are moſt concerned in this that I have ſaid, yet that which I am to tell you from *Holland* and *France* is no leſs remarkable; eſpecially from *Holland*, where the Prince of *Orange* and the States General ſeiz'd, about ten days ſince, on the perſons of ſix of the States of *Holland*, and brought the Army to ſurpriſe *Amſterdam*, of which they miſt very narrowly, having been betray'd by ſome perſon who diſcovered it to the Town a few Hours before the Troops arrived that ſhould have made themſelves Maſters of the Gates at the opening of them in the Morning, ſo that they had planted all their Cannon, drawn up their Men, and drowned a part of the Country juſt before the Troops got thither, nevertheleſs the Prince intended to purſue his deſign by beſieging them, and had ſent for all things neceſſary for that work, but the next Morning they came to an Agreement, of which we know not yet the Particulars, nor whether it be ſtrong enough to hold after ſo great a widening of the Differences. In this place we had laſt *Tueſday* a deciſion of the Queſtion, whether this Town and Parliament ſhould continue in Obedience to the King, or joyn

with

th thoſe of *Bourdeaux*, whom he is now going to
iege. There was a ſtrange Diſorder and Confuſi-
at the Palace, the People crying out againſt *Ma-*
rine, for the Princeſſes liberty, and for a Peace
th *Bourdeaux*, and many hundred Swords being
wn there, but without any harm done: In the
rliament thirty Voices were according to the
ce of the Rout; but threeſcore and odd reſted
the Propoſitions made by the Duke of *Orleans* in
half of the Court, which were, that there ſhould
an Act of Oblivion paſt to all in *Guienne* beſides
onſieur *de Bullion*, *de Rochefaucaut*, and ſome
r others who ſtand already under Sentence of
rliament, and ſhould be referred to that Court;
t Madam *la Princeſs*, and *le Duc d'Anguien*
uld have ſecurity for their perſons in any of
ir Houſes, and that the Duke *d'Eſpernon* ſhould
recalled. I believe the Court will ſubmit to
s, but know not whether thoſe of *Bourdeaux*
ll; and upon the quick diſpatch of this buſineſs
her by accord or by force, the quiet of all *France*
pends. My Lord writes not till Mr. *May*'s re-
rn, which he hopes will be within a Week, he
ll by that time undoubtedly bring you great
ws; but of what kind I dare not propheſie. I
l,

SIR,

Your moſt humble, and moſt faithful Servant,

A. Cowley.

Paris, Novemb. 18. 1650.

SIR,

IT is not eaſie to give you an Intelligible Account of the Buſineſs of *Scotland*, though we have much in the Prints of it, and Sir *Edward Walker* with ſome others be newly arrived from thence in *Holland*. Things very ſtrange and remarkable have happened within theſe two Months, but what will be the iſſue of them is yet very doubtful, though they look as if they meant to do us good. About the beginning of *October* a great number of Lords and Gentlemen (both of the King's old party, and of the Engagers) weary of the Oppreſſion of the prevailing Faction, and ſeeing the Folly and Blindneſs of it to the point of oppoſing the Common Enemy, reſolved to take Arms, and handled the matter ſo as that the King promiſed to come to them himſelf, for which a Day of Rendezvouz was appointed, but the King the Night before communicating the Counſel to ſome of his *Engliſh* Company (my Lord Duke of *Buckingham* and Lord *Wilmot* are named) they had ſo little Opinion of the Solidity of the Matter, that they perſwaded the King to lay aſide the Reſolution, and to ſend to the engaged perſons not to aſſemble; at leaſt the King ſeem'd to be perſwaded, but ſeveral of the Engagers met, and he three days after, with very few in his Company, under a pretext of Hawking, was upon his way towards them, but (the thing being diſcovered too ſoon, I know not by what means) he was overtaken by a party of Horſe and beſeeched (that is, forc'd) to return

to

to St. *Johnſton's*, and ſince to *Sterling*, which is the Head Quarter of the Army; but for all this, whether out of fear of the Violence of the Stream the other way, or out of deſire to give him better Satisfaction, he found himſelf better treated than before, ſate daily with them in Council (which he never did before) and the 30th of *October* was appointed for his Coronation. In the mean time the other Party grow in Strength, choſe *Middleton* their General, and became a Body of about 5000 Men. To them was Sir *John Brown* ſent with a party of two Regiments of Horſe to offer them an Act of Indemnity, and in caſe of refuſal, to reduce them by force: He ſent this Meſſage to them, and added, that if they returned a Dilatory Anſwer, he would hang up their Meſſenger. Their Anſwer was very quick, for they fell preſently upon him, and took, ſlew, and diſperſed the whole Party; this brought down the Pride of the violent Faction to a Treaty with them, and Hoſtages were given on both ſides; the Treaty was but begun when Sir *Edward Walker* came away, but it was generally believed that the iſſue of it would be the Union of all Parties, and admiſſion of all Perſons into the Service. The Lords riſen in Arms were *Murry*, *Huntly*, Earl of *Athol*, *Marſhall*, *Arrall*, *Lindſey*, *Ogleby*, Lord *Sinclair*, *Nuburgh*, *Pleſcarty*, and many more; Mr. *Long*, Mr. *Progers*, Mr. *Seymour*, and Dr. *Fraſer* are again baniſht for having had a Hand in this Buſineſs. In the meanſtime we have receiv'd a greater blow abroad than any thing at home can recompence, if we were to have never ſo good News; that is, in the death of the Prince of *Orange*, who died laſt Week of the Small Pox after a Weeks Sickneſs, and was, I think, the moſt conſiderable Man at this time (as to the conſequences

equences of his perſon) not only to us, but to all this part of the World, that could have been taken out of it. The Princeſs Royal is in her 8th Month, if it pleaſe God to give her a Son it will be ſome Conſolation in this great Misfortune. The D. of *York* is ſtill at *Bruxells*, in all extremities of Want, having been ſo far from receiving any Support from the Archduke and the Duke of *Lorrain*, that he has ſcarce had the ordinary Civilities he might have expected; he wrote lately to the Queen to deſire that he might by her means be invited into *Holland*, but that is daſht by this Misfortune, and the greateſt hopes of his Subſiſtence loſt by it. I think he will be forc'd to return hither at laſt, though his Council rather deſign a Journey into *Germany*, or indeed *Spain*, or the *Weſt-Indies*. Sir *G. Ratcliff* is the Controuler of his Houſhold, and orders the whole buſineſs of two Diſhes a Meal for the Duke in his Chamber. My Lord gives you many thanks for your Treffles, and Mrs. *Gardiner* for your care of her Beauty; the former I had ſome part in, the latter I am ſure I never ſhall. This is a cruel long Letter to begin our Commerce withall, but I will not always be ſo troubleſome. I am,

SIR,

Your moſt humble, and moſt faithful Servant,

A. Cowley.

SIR,

Paris, Decemb. 5. 1685.

SIR,

MY laſt gave you an account of what was brought from *Scotland* by Sir *Edward Walker*, ſince which time we have had diſmal Alarms from thence of the King's being made a Priſoner by the violent party in *Scotland*, and this came from the *London* Prints, but our laſt Intelligence both from *England* and *Holland* removes thoſe Fears from us, and puts us again into a way of hope. The *London* Prints rail very much againſt the *Scots*, and confeſs, that they were all like to agree, and Letters from thence (of which one comes from a great Parliament Man) ſay, that *Straigban* and *Carr* having amuſed *Wharley* with a Treaty, and promiſed to joyn with him, fell ſuddenly upon him near *Carliſle*, and took and ſlew his whole Party, which conſiſted of 3000 Horſe and Foot, which I take to be a very good *Scotch* Stratagem. Our Letters from *Holland* ſay, that *Middleton* and the Party riſen for the King in the *North* was increaſed to the number of 10000, that they had taken *Aberdeen* and *Dundee*, and put Garriſons into them, that they were advancing towards St. *John's Town*, that eleven Troops of the old Army was come into them, that *Pleſcarty* was bringing up 4000 *Highlanders*, that hereupon the Committee of Eſtates had ſent Mr. *Will. Murry* to treat with them, and that there was no doubt of the Agreement. This is brought by a Merchant from *Aberdeen*, who ſays moreover, that it was there reported, that

that the King had been Crown'd in the Head of the old Army. All this I preſent to you upon the Faith of the Reporters, and do not engage my own Credit for your belief, though it ſeems all to be very probable. In *Ireland* my Lord *Clanricard* having driven away *Ireton* from *Athlone* with ſome loſs is paſt the *Shanon*, and has beſieged the *Burre*. This is certain, the other Rumours of great Succeſs there on our ſide are not worth repeating. I know not whether I told you, or could tell you in my laſt, that the Princeſs Royal was brought abed of a Son, the only proper Conſolation for the loſs of the Father, whoſe Death hath looſened all the parts of that Commonwealth, where all People are deſigning ſeveral things, and it is hard to gueſs whether or no things will ſettle. There is at this preſent a General Aſſembly of the States of all the Provinces. The Queen upon the occaſion of theſe great changes in the Princeſs *R*'s Fortune, has ſent my Lord into *Holland*, to condole, congratulate, and adviſe with her. I ſhall wait upon him thither, and we think to part to Morrow, ſo that you will not ſuddenly be troubled with any thing from me, which may ſerve to excuſe the length of this. The Duke of *York*'s Condition you will undoubtedly learn by the encloſed from my Lord *Biron*, to which I ſhall therefore referr you, and remain,

S I R,

Your moſt humble, and moſt faithful Servant,

A. Cowley.

Be pleaſed to preſent my humble Service to Mr. *Marceſs*; Mrs. *Marceſs* is come to Town, but

but I have not ſeen her, nor know where ſhe lies.

My Lord is in ſuch a crowd of Buſineſs now at his parting, that I know not whether he will be able to write to you.

I have this Afternoon receiv'd yours of the 26th of *November*; your Preſent to Mrs. *Gardiner*, to Mrs. *Gard*, and your Queſtions too upon it make her bluſh. Your Treſſles were excellent good, as I wrote you word before; as for the *Piedmont* Wine we are now ſuch moderate Men, as to content our ſelves with that of the *Rhine*, in which I hope ſuddenly to drink your Health.

SIR,

Paris, Septemb. 13. 1653.

SIR,

THE trouble of my Letters has fallen hitherto heavy upon Sir *John Berkly* only, now by the occaſion of the incloſed you muſt have your ſhare of it. But, as Men uſe to do, I ſhall begin modeſtly and moderately with you; and indeed without writing for writing ſake, as Monſieur *Balſac* and Mr. *Church* does, no body can at this time ſend you a long Letter from hence. The King is almoſt quite recovered, he wants only his Strength, which a few days and the freſh Air of the Country (whither he intends to go, I believe, ſometime next Week) will reſtore him to, and *Chantilly* is the place which he, as yet, pitches upon; which is methinks frank and bold to go into that Man's own Houſe who threatned to make him a Priſoner Our great concernment in *Holland* is not yet determined; the Towns and Provinces have not given in their Anſwer to the *Engliſh* hard word. There is not much danger that they ſhould ſubmit to the Propoſition, but I rather fear that they will make ſome new ones upon the hint of that, on purpoſe to continue the Treaty, and to prevent an Engagement with our King, and a renewing of the Power of the Houſe of *Orange*, hoping that in time ſome Accidents or other may induce the *Engliſh* to content themſelves with more reaſonable terms. Not that this is the deſign of the Provinces, but it is of many perſons

in

in *Holland*, who have made a ſhift hitherto to govern the reſt. But all theſe are but politick gueſſes, for in fine, no fleſh is able to ſay not ſo much as what is likeliſt to happen in this point. A part of the *Engliſh* Fleet is gone out again, to the number of forty Ships, under the Command of *Lawſon*: The Riſing in *Scotland* is doubtleſs very conſiderable, but how long it will be ſo, without ſome Aſſiſtance (whereas we have none for them but our Prayers, and thoſe too the Divines grutch to them) I cannot tell. We have a Report likewiſe that a Party of Five Thouſand *Iriſh*, who were ready to be embarked for *Spain*, but ſtaid by contrary Orders from thence, have taken Arms, and that divers others are joyned to them in *Ireland*. *Lilburn* is abſolved by two Juries, but ſtill kept a Priſoner, and threatned to be tryed upon another ſcore, of Correſpondence with the King. The ridiculous Parliament paſſes Acts apace of great Conſequence; they are almoſt all Anabaptiſts, and will reduce Church-Eſtates to that wild way, whatſoever it be, for that I cannot tell you, nor do I think it is to be found in any Authors. By this time you begin to laugh at my promiſe of Moderation, and therefore I ſhall make an end. I am,

SIR,

Your moſt humble, and moſt faithful Servant,

A. Cowley.

My Lord preſents his humble Service to you, and be pleaſed to let mine be preſented to Sir

Sir *John Berkly*, and the reſt of your Compa-ny.

There is an Act paſſing in *England* for the preſent ſale of Two Thirds of all Catholicks Eſtates.

The *French* Court will be here within a Fort-night.

A Brief

A

BRIEF ENQUIRY

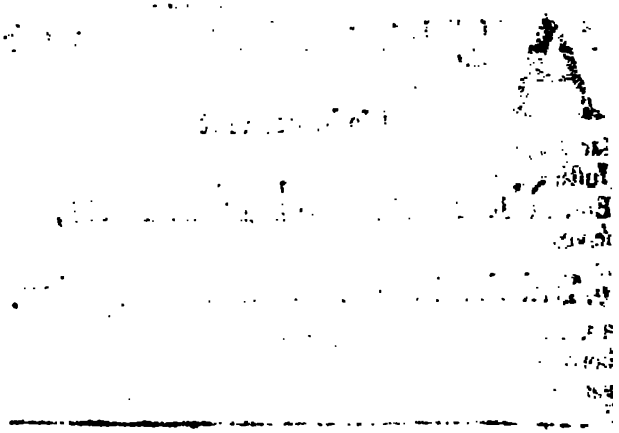
INTO

Leagues and Alliances

Made betwixt

PRINCES and NATIONS,

And the Nature of their Obligation.



A

Brief Enquiry

INTO

Leagues and Alliances, &c.

ALL Leagues and Confederacies properly ſo called, made and contracted betwixt Princes, are the Reſult of Natural Juſtice and Wiſdom, as they are particularly applicable to the preſent Emergencies of State. Juſtice examines their Principles, Wiſdom their Ends. So that if two Princes confederate themſelves in a War againſt a third, and that War be in it ſelf manifeſtly unjuſt, this is an ill-grounded War through defect of the Principle, and is rather a Combination than a League; for every League both in Name and Nature implies a Tye or Obligation. But *No Prince is ty'd to be unjuſt.* But ſuppoſe the War to be as to its Principle juſt, and ſo the League initially good; yet if in the neceſſary Concomitants or Conſequences of it by reaſon either of miſtaken Meaſures or ſiniſter Accidents, it proves ruinous and deſtructive; this, if continued, is an ill adviſed War, and the Obligation to it ceaſes, becauſe of the defect of the End; for *No Prince is bound to deſtroy himſelf*: And the proper End of all Leagues betwixt

Princes is the Safety and Benefit of each others Crown and People.

II.

A Prince cannot oblige himſelf to wage a War during the pleaſure of his Confederate: Or, which is all one, not to make a Peace without his Conſent. When I ſay he cannot, I mean not any Impotency or Defect of Civil Power on the part of the Prince, but a Moral Impoſſibilty on the part of the Thing. And, if a Treaty be couched in thoſe or ſuch like Terms, thoſe words are either meerly inſignificant, or elſe muſt admit of ſome equitable Conſtruction to make them reducible to a practical Sence. For otherwiſe, according to the rigour of their Letter, ſuch words ſhall oblige a Prince to make an unreaſonable, an inſamely, a calamitous War, only to gratify the Will, perhaps the Humour of another: Which is to tie a Prince to that which he muſt not do, that is to ſay, to tie him to do that which he is already tied not to do, which is a flat moral Contradiction. But ſuppoſe the Treaty obliges both Princes to continue the War by a Conjunction of Forces, till both may obtain reaſonable Conditions from their Common Enemy, in this caſe each Prince ſhall have the Judgment not only of his own but of the other's Conditions alſo, ſo far as they relate to the continuance, or diſcontinuance of the War on his part; elſe upon pretext that his Conditions are not reaſonable, the one ſhall *Opiniaſtre* a War eternally, and conſequently engage the other in it during his ſingle pleaſure.

III.

III.

If there be a Principal and Acceſſory in a War, and the Principal be ſatisfied as to the Terms of a Peace offered, the other Prince, who is but the Acceſſory, ought to acquieſce, but if both be Principals, tho one is free to purſue his right, though the other deſiſt.

IV.

A Prince who contracts *bonâ fide* without any fraudulent or fallacious intent, who performs faithfully during the Alliance, and departs not from it upon Levity or Inconſtancy, but upon new and unforeſeen Accidents, or other cogent Conſiderations uſhering in a new State of Affairs quite different from what it was when the Contract was firſt made, puts his Honour and Veracity under ſafe and ſecure Covert. Provided that when ſuch Accidents and Conſiderations happen, he give as timely notice thereof to his Allie as reaſonably he can, to the End his Allie may have the choice either to make Peace conjoyntly with him, or continue the War apart: And that in the Conditions of the Peace he be ſo far aſſiſtant to his ſaid Allie as the Convenience of his own Affairs will reaſonably permit.

V.

If two Princes, Confederates in a War againſt a third, are obliged by the tenor of their League not to make a ſeparate Treaty with that third, excluſive each of other, yet during the War ſuch un-

expected and important Accidents fall out, which, if one of the Princes had had the foreknowledge of, he would never have entred into the League; in this case the obligation ceases. Neither does the Prince through Fraud or Levity falsifie his word, but the change of Circumstances and Affairs voides the Contract. For example, I solemnly swear to my Friend, that I will relieve him as long as I live, yea and add moreover, that I will in no case suffer him to want; yet if my Friend becomes a Criminal to the State, and the State make it Capital in me to relieve him, in this case my Oath binds me not; And if to invalidate this Instance it be alledged, that my Oath is void, as being against the Law of the Government under which I live; 'tis but varying the Case, by supposing it to be the Act of an Usurper, to whom I owe no Duty of Obedience, whereby I am forbidden under Capital Penalties to relieve my Friend to whom I have sworn. Here 'tis self-preservation, and the needful avoidance of an imminent, though unforeseen, Danger, which acquits the Obligation. Or suppose that when I swore I was in the possession of a plentiful Fortune, but am afterwards by unthought of Accidents reduced to such a Poverty that whatever remains to me does but barely suffice the Necessities of my own life, here Nature teaches, and Charity permits to prefer my self, and my Oath binds me not in either of these Cases. For every rational Man will judge, that had I foreseen what happened I had not sworn. And thus common and universal Reason shall be pleaded, to supply the defect of my particular Understanding. But if common Reason and Equity be justly pleaded in benefit of a private person, where his Life and Fortune lie at stake, how much more

more ſhall it be in the caſe of a Prince where the preſervation of a Community is concerned? And if unforſeen Accidents fall out in the ordinary Occurrences of Humane Life, how much oftener in the caſe of a War, that grand Scene of Viciſſitudes and Mutability.

VI.

In caſe two Princes be confederate in a War againſt a third, and one of the Confederates by Hoſtile Provocations, occaſionally ariſing by this War, or by voluntary Deſign, engages himſelf in a new War with a fourth Prince, who is a Friend and Allie of the other Confederate, to the Multiplication ſtill of more Wars by a ſuperfœtation; in this caſe the ſtate of Affairs is quite altered from what it was at the firſt entry into the League, and that other Confederate will labour under a double diſadvantage. For firſt, the Forces of this Confederate will by this new War be diſtracted and divided, and conſequently more of the Burthen and Danger of the War devolve upon him. Secondly, The Aſſiſtance he gives his Confederate, which was intended for the maintenance of a War againſt a Common Enemy, will either in whole or in part be diverted to a War againſt his own Allie, and by this means he ſhall with one Hand fight againſt his Enemy, and with the other againſt his Friend: And in caſe the Conſervation of the Amity of that Allie be of great uſe to him and his People, and his true Intereſt complicated therewith, he ſhall now become engaged in an unnatural War againſt himſelf.

VII.

But put the caſe ſtill ſtronger, ſuppoſe it was caution'd in the League, that if the War, which the two Confederates were to have againſt their Common Enemy, ſhould occaſion a new War againſt one of the Confederates from ſome other Prince or State, that in ſuch caſe both Confederates ſhould ſtill aſſiſt each other, and declare that fourth Prince or State their Common Enemy. Here an unforeſeen Accident cannot be pleaded, for this new War was not only ſuppoſed, but expreſly provided againſt. To this I anſwer two ways; *Firſt*, If one of the Confederates has already a League and Alliance with that Prince, againſt whom this new War is to be undertaken, and no Violation of the League on the part of that Prince, that proviſo, how expreſs ſoever, is abſolutely void; for no Prince is oblig'd in Compliance with his word to a new Confederate to break his Faith with an old one, and where Contracts prove repugnant one to another, the firſt ſtands good, the ſecond is a Nullity. If it be ſaid, there has been a Violation of the League on the part of that Prince, by his giving Aſſiſtance to the other's Enemy; as in the preſent caſe, *Spain* aſſiſts *Holland*, with whom *England* is at War. To this will be anſwered, *Spain* aſſiſts not *Holland* againſt *England*, but againſt *France*: And never did any League or Treaty forbid a Prince, or can forbid him, to aſſiſt his Friend againſt his own and his Friends common Enemy. For this were to ſubvert the general Maxims and Principles of Political Prudence and Reaſon. But *Secondly*, though this Accident of a new War with another Prince was ſuppos'd, yet many others as weighty as that may fall

fall out wholly unforeſeen, for 'tis impoſſible for Humane Underſtanding to enumerate all future Accidents: And poſſibly the Temper of a Prince, his Affairs at Home, the Diſpoſition of his People, and other important Conſiderations, perhaps not fit for a Prince to publiſh, may be ſuch, as to render a Peace abſolutely neceſſary, and this the Prince is the ſole Judge of. And if upon ſerious and mature Conſideration he finds his Pretences real, not feigned, weighty, not frivolous, a neceſſity which he ſuffers under, not ſought for by him to palliate a fictitious excuſe; if a Prince make Peace with his Enemy in ſuch Circumſtances, though with the Excluſion of his Confederate, if upon notice given him he refuſe to be comprehended, eſpecially upon the offer of juſt and honourable Conditions from his Enemy, the adequate end of all juſt Arms, which when rejected may make a War originally juſt become unjuſt; I ſay, in ſo doing the Faith, Honour, and Conſcience of the Prince remain unblemiſh'd, neither is it any more Imputation to him than to the Maſter of a Ship bound upon a Voyage, not to put out to Sea when the Wind is contrary, or to put into Port when the Storm ariſes: For no Covenants can be pleaded in a caſe where the being or well-being of a Prince or People are concerned; all ſuch are directly contrary to the Intention of the Contractors, and to the end of the Contract, and are nothing but words depraved and diſtorted from their genuine meaning, by the Artifices of him, who would either preſerve or aggrandize himſelf by another's ruine.

And as no Humane Underſtanding can enumerate all future Accidents, ſo no finite Being can engage it ſelf againſt all Events. This is a Task only for Omnipotence and Omniſcience, for him whoſe

whose infinitely extended Wisdom overtakes all Futurities, rendering them present, and whose Power is commensurate to his Wisdom.

VIII.

No Prince is bound by any League to perish singly or in company with another. The welfare and safety of his People, are his primary Obligation, first in Time and first in Dignity, to which all Treaties and Transactions with Foreign Princes are but Secondary and Subservient, neither can any of them be pleaded to evacuate that Original and Fundamental Obligation. And though private persons may in several Instances contract to their own great hurt, and be bound up thereby, yet 'tis otherwise with Princes, because of the conjugate Interest of Prince and People. Forasmuch as a Prince cannot hurt himself without hurting them, to the procuring of whose good and benefit he is preingag'd. In which sence 'tis infallibly true, that

Actus posterior non præjudicat Priori.

IX.

All Leagues and Contracts, as well with Princes as with private Persons, are mutual and reciprocal, and are ever made betwixt two at fewest, and where there are but two in the Contract, if one departs from it, 'tis no longer a Contract. Now a Prince by the nonperformance of every material point contained in the League departs from it: And this nonperformance of the one Prince does not operate by investing in the other a pow-

er

er to break with him in the like Nature, for then it would tantamount to this, becauſe one is falſe to me therefore I may be falſe to him. But it operates by way of annulling and avoiding the League, as having no longer in it any Obligation, it becomes a meer cancelled Bond, and is ſo far from being an Agreement that 'tis indeed a Diſagreement.

X.

The Honour of a Prince, which is his Moral Conſcience, is too nice and delicate a thing for the ungentle touch of a private Hand. And 'tis a difficult matter to give a particular ſatisfaction to all the Phœnomena, without an exact knowledge of the Original Treaty, with all its Relatives and Circumſtances, wherein the Honour of a Prince is ſuppos'd to be concern'd.

But thus much may be confidently affirmed, if one Prince ſhall meaſure all his Leagues and Treaties with Foreign Nations by the Standard of his own Intereſt, and abide no longer by them than they abide that Teſt, and in ſo doing juſtifie himſelf by the common practice and uſage of the moſt civiliz'd Nations in all Ages, whilſt the other is tied up to all the Niceties and Punctilios of words, which may be deviſed by an intereſſed Caſuiſt, this ſcrupulous Prince will be ſubjected to monſtrous Diſadvantages, and be faſt bound when the other is looſe. Now, that this has been the uſage of all Nations is a plentiful Topick in Hiſtory for him who would ſpin out a long Diſcourſe, neither can he make choice of a larger Field to expatiate in.

XI. Thus

XI.

Thus *Henry* the Fourth of *France*, having made a League Offenſive and Defenſive with Queen *Elizabeth*, and the *States General*, in which an expreſs Condition was inſerted, That none of the Confederates ſhould make Peace with *Spain* without conſent of both the others; and this Treaty moſt ſolemnly ratify'd by that King with ſeveral Vows and Proteſtations made by him in the preſence of the Earl of *Shrewsbury*, and afterwards in ſeveral of his Letters to the Queen under his own Hand: Yet, notwithſtanding that great Debt of Gratitude he ow'd the Queen for many ſignal Benefits, and the ſharp Expoſtulations of Secretary *Cecil* and *Barnevelt* purpoſely ſent to him to confirm him in the League, he excuſed himſelf with Arguments drawn from the Importunity of his Affairs, and other urgent Conſiderations; proteſting that his refuſal of a Peace offered from *Spain* would involve him in Troubles at Home, That the Law of Nature preferr'd Self-preſervation, That the Kingly Office will'd his People's good ſhould be his Supream Law, That Chriſtian Duty required the ſparing of Chriſtian Blood; and ſo concluded a ſeparate Treaty at *Vervins*, and left the *Queen* and the *States* to proſecute their War againſt *Spain*.

XII.

Thus *Chriſtian* the Fourth of *Denmark*, having confederated himſelf with the Houſe of *Saxony*, the Princes of *Pomeren* and *Mecklenburgh*, and other the Proteſtant Heads in *Germany*, for carrying on

on a Common War againſt the *Auſtrians*; and being afterwards worſted by the Imperialiſts to the loſs of his Counties of *Holſtein* and *Jutland*, yet having good Conditions offered, upon occaſion of the beſt of the Imperial Troops being call'd off to attend the Affair of *Mantua*, for recovery of what was loſt, and ſecurity of what was left, he quits his Allies, and makes Peace with the Emperour.

XIII.

Thus *Chriſtina* of *Sweden* and the *States General*, having in purſuance of ſeveral Treaties mutually agreed on, been long imbarqu'd with *France* in a common War againſt the Houſe of *Auſtria*, yet that Queen, notwithſtanding all the Oppoſition and Repugnance on the part of *France*, concluded a Peace with the Emperour at *Munſter* in 1648; and *France*, ſeeing no other remedy, did the like. But the *States* made their Peace with the other Branch of the ſaid Houſe, with the diſcent and excluſion of *France*: And though *France* reſented it, yet no indifferent By-ſtanders blam'd them for ſo doing. For why ſhould the King of *France* have been the ſole Arbitrator of Peace and War, not only for himſelf, but all his Allies? The Crown of *Sweden* was out of Pupillage, and capable to judge her own concerns in the laſt reſort. And the *States General*, though a younger Government, were not ſuch Minors as not to have learn'd by this time to diſcern their proper Intereſt. They did not exclude the *French* King from their Treaty with *Spain*, but he refuſed to be included, and he had no more reaſon to formalize againſt them for making a Peace, than they againſt him

him for continuing a War, which lasted twelve Year longer, for

Qui jure ſuo utitur Nemini facit injuriam.

XIV.

Thus the late King of *Denmark*, *Frederick* the Third, in the Year 1657, being moſt intimately confederated with the *Pole* and *Brandenburgher*, under ſtrict defences from hearkning to any ſeparate Treaty with *Sweden*, without the conſent and inclusion of the ſaid Allies; yet upon the Neceſſity of his Affairs, the King of *Sweden*, having made that miraculous March upon the Ice with Horſe, Foot, and Cannon, over the *little Belt* into *Funen*, and over the *great Belt* into *Zealand*, being reduc'd to thoſe Extremities, which admitted no recourſe, but by a Peace, he concluded that famous Treaty at *Roſchild*, which ſaved the two Crowns of *Denmark* and *Norway*, under the Mediation of *England* and *France*. Nor did any of his Allies quarrel with him for ſo doing, though done without their participation, and he juſtified himſelf by this ſhort Apology,

Quicquid cogit excuſat.

XV.

Not to ſay any thing of the late Treaty
1660. at the * *Pirenées*, wherein *France* abandon'd the Intereſts of *Portugal* contrary to expreſs Conventions, and that not upon any urgency or neceſſity of Affairs, but only upon the proſpect of new and greater Advantages. Many other

other Inſtances might be added pertinent to the Caſe in hand, and ſome perhaps of a freſher Date than any of the former, had I deſign'd a full Tract, not a Brief and Modeſt Enquiry.

The Ancient Method and Uſage of Duels before the King.

Out of an old MS. of Elias Aſhmole, *Eſq*;.

WHen upon the exhibiting the Bill of the Appellant in Court before the Conſtable, the Appellant fails in the proof of his Appeal, and cannot by Witneſs nor any other manner make the right of his Demands appear, He may offer to make proof of his intent upon the Defendant by his Body, by Force; and if the Defendant will ſay he will ſo defend his Honour, the Conſtable, as Vicar General in Arms under the King, hath power to join this Iſſue by Battel, and to aſſign the time and place, ſo that it be not within forty Days, unleſs by the agreement of the Parties they give themſelves a ſhorter day.

And upon the joining of the Iſſue by Combat, the Conſtable ſhall ſignify to them their Arms, which are a Gauntlet, a long Sword and a ſhort Sword and a Dagger: and then the Appellant and Defendant ſhall both find able pledges for their Appearance at a certain time of a day ſet, before the Sun be come to ſome one degree certainly named, to accquit their pledges, and the Plaintiff to make the beſt defence he can

for his honour. And that in the mean time neither of them by themſelves, nor by any Wel-willers of theirs ſhall lye in Ambuſh to aſſault or work any grievance to the other,

The King ſhall find the Field for the performance of the Duel, which muſt be ſixty Foot in Length, in Breadth forty, It muſt be a hard and a firm ground, nothing ſtony, and liſted about by the deviſe of the Marſhal with good and ſerviceable Railing.

There muſt be two Doors, the one in the Eaſt, the other in the Weſt : each of them of the height of ſeven feet, or more ; ſo that a Horſe cannot leap over them, and theſe Doors are kept by the Serjeants at Arms.

The day of the Battel the King ſhall ſit in a Chair mounted on a Scaffold, and a low Seat ſhall be made for the Conſtable and Marſhal at the foot of the deſcent from the Scaffold ; and ſitting there they demand the Pledges of the Appellant and Defendant to come into the Liſts, and render themſelves the Kings priſoners, until the Appellant and Defendant are come in and have made Oath.

When the Appellant comes to the Field, he ſhall come to the Door in the Eaſt, armed and ſo appointed, as the Court did order, and ſhall there attend the coming of the Conſtable to bring him in.

And the Conſtable ſhall demand of him who he is, that comes thus armed to theſe Liſts, what name he bears, and the Cauſe of his coming.

The Appellant ſhall anſwer, *I am ſuch a Man* A. *of* B. *The Appellant, who am come armed and mounted, as you ſee, to the Door of theſe Liſts to demand an Entry, to make an endeavour to prove mine*

mine intent againſt C. *of* D. *and to acquit my Pledges,*

Then the Conſtable taking up his Beaver, ſo aſſuring himſelf that he is the ſame Perſon who is the Appellant, ſhall throw open the Door and bid him enter in his Arms with his Victuals, and other neceſſary Attendance, and his Councel with him, and ſhall then bring him before the King, and thence to his ſeat, where he ſhall attend until the Defendant come.

Then the Appellant ſhall make a requeſt to the Conſtable and Marſhal to diſcharge his Pledges, and the Conſtable and Marſhal ſhall inform his Majeſty that ſince the Body of the Appellant is enter'd the Liſts to make proof of his Appeal, his Pledges by Law ought to have a diſcharge, and, after leave granted by the King, the Conſtable ſhall diſcharge them.

If at the time appointed, the Defendant come not in to his defence, the King doth Command the Conſtable to call him by the Marſhal, and the Marſhal ſhall Command the Lieutenant, and the Lieutenant ſhall Command the Marſhal of Heralds of the South, if it be in the March of *Clarencieux*; and if the Marſhal of the Heralds of the King of the South be not there, then a Herald of the March of King *Clarencieux* ſhall call him, and if the performance of the Battel be on the North ſide of the River of *Trent* in the March of King *Norroy*, the Marſhal of the King of the North ſhall demand him, and in his default one of the Heralds of the March of King *Norroy* ſhall call for the Defendant thus.

O yes, O yes, O yes.

C. *of* D. *Defendant come to your Action, which you have undertaken this day, to acquit your Pledges*

in the preſence of the King, Conſtable, and Marſhall, and to defend your ſelf againſt A. *of* B. *Appellant, in that he ſhall queſtion, and charge thee.*

And if he appear not, he ſhall be in like manner thrice demanded at the four Corners of the Liſts, only at the ſecond time he is Proclaimed, at the end the Herald ſhall ſay, *the day is far paſſed.*

So at the third time the Herald, at the half hour after three of the Clock in the Afternoon, by the Commandment of the Conſtable, ſhall thus Summon him.

C. *of* D. *Defendant ſave your Honour, and come in to your Action, which you have undertaken at this day: the time is far gone, the half hour is ſpent, come in to the Liſts upon the peril that ſhall follow thereon, or elſe you come too late.*

Then when they have both appeared, the Regiſter of the Conſtables Court ſhall in writing obſerve their entrance, the order, and time, and the manner, whether on foot, or mounted, their Arms, the Colour of their Horſes, and how their Horſes are harneſſed, leaſt the Horſes, or their Harneſs ſhould be changed, or otherwiſe imbezelled.

Then the Conſtable ſhall know whether it will pleaſe the King's Majeſty to appoint any of his Nobles to Councel and adviſe them.

The Conſtable ſhall imploy two Knights, or Eſquires to the Appellant to keep his ſtanding, and to take care that he uſe no Charm, Spell, nor other ill Arts, until he hath made Oath. And with the like Charge two ſhall be diſpatched to the Defendant.

And when the Conſtable hath asked his Majeſties Pleaſure, whether his Highneſs will receive

ceive their Oaths in Perſon, or that the Conſtable and Marſhal take them in their Liſts, calling for the Appellant with his Councel, ſhall demand of the Councel if they will make any further proteſtations, that they ſhould now put them in, for this time is peremptory, and hereafter no proteſtation ſhall be received.

Then the Conſtable ſhall have a Clerk ready by him, with a Book, and ſhall cauſe his Regiſter to read the whole Bill to the Appellant, and ſhall ſay to him.

You A. *of* B. *do you know this to be your Bill, and the Complaint which you exhibited in Court before me, laying your right hand upon this Book, you muſt ſwear the truth of your Bill in all points, from the firſt to the laſt Charge in it, and that it is your Intent to prove upon* C. *of* D. *the Contents thereof to be true, ſo aid you God.*

The form of it is thus.

Thou A. *of* B. *y'is y'i Bill is ſoye in ayell Pointe and Articles fro the beginninge Contenwitt yer enn vnto the ende and y'is yinne Intent to Proue y'is day on the aforeſaid* C. *of* D. *ſo God yee helpe, and his halloweth.*

This done the Appellant remanded to his ſtand, the Defendant ſhall be in the like manner ſworn upon the truth of his defence.

And this their firſt Oath they ought to do kneeling, but by the favour of the Conſtable and Marſhal they ſometimes do it ſtanding.

Then the Conſtable ſhall by the Marſhal call the Appellant before him, and tender this ſecond Oath to him, which, if the Conſtable give him leave, he may do ſitting.

A. B. *laying your hand on the Book this ſecond time, you muſt ſwear that you come no otherwiſe ap-*

than by me the Conſtable, and Marſhal aſſigned, with a ſhort Sword and a Gauntlet, and a long Sword and a Dagger, that you have not any Knife, nor any other pointed Inſtrument, or Engine, ſmall, or great, no Stone, or herb of vertue, no Charm, Experiment, nor other Enchantment, by whoſe power you believe you may the eaſier overcome your Adverſary, who within this Liſt ſhall oppoſe you in his defence, and that you truſt not in any thing more than in God, your Body, and the Merits of your Quarrel; ſo God you help.

Then being conducted to his place, the Keeper of the Liſt ſhall be put out, and the Defendant in the ſame manner ſhall be demeaned.

Then the Conſtable and Marſhal ſhall ſend for them both before them, and the Conſtable ſhall name the Appellant, and Defendant, and ſhall ſay to them both.

Take ye each other by the right Hand, and I defend that neither of you be ſo hardy violently to handle one another upon your peril, and laying their left hands on the Book, the Conſtable ſhall ſay, *I Charge you* A. *of* B. *Appellant, by your faith and your right hand,* which is *encloſed in the hand of your Adverſary* C. *of* D. *that you uſe your power, and make uſe of all advantages, to make good your Appeal upon* C. *of* D. *your Adverſary the Defendant, to force him to a Rendring of himſelf unto your hands, by demanding a Parley; or with your own hand to kill him before you part off theſe Liſts, by that heigth of the Sun and Age of the day you have Aſſigned you by us the Conſtable and Marſhal by your faith: And ſo God you help.*

The ſame form ſhall be obſerved on the part of the Defendant, and then they ſhall be brought each of them to their places, the Liſt cleared of the Councel on both ſides. The

The Oaths thus paſt, a Herald by the Command of the Conſtable and Marſhal, ſhall make *O yes*, thrice and ſhall ſay.

'We the Conſtable, and Marſhal, in the Kings 'Name, Charge and Command every Man, of what 'quality and condition ſoever he be, that he ap-'proach not within four foot to theſe Liſts, nor that 'he ſpeak any word, make any noiſe, give any ſign, 'nor by his Countenance, or otherwiſe direct either 'of theſe parties A. of B. or C. of D. the Appel-'lant and Defendant, to take any Advantages the 'one upon the other, by any ſign ſo given, upon 'pain of life and member, and the forfeiture of 'his Chattels.

Next the Conſtable, and the Marſhal aſſign the place, where the Kings at Arms, and the Heralds ſtanding may have a full ſight of all the Action within the Liſts: for now they are to attend the Appellant and Defendant, and miniſter to them in what they ſhall Command them. And if either of them faint, or have any deſire to eat or drink of their Victuals they bring with them into the Liſts, it is the office of the Herald to be attending on them.

If the Appellant will either eat or drink he muſt firſt deſire the good leave of the Defendant, which ſhall be by a King at Arms ſignified to the Conſtable, and Marſhal, and they to attend the King with the deſire of the Appellant, and conſent of the Defendant, and pray his Majeſties allowance of it. And if either the Appellant or Defendant have a neceſſity to do any other thing, the Heralds, and the Pourſivants, ſhall attend them.

After that the Conſtable, and Marſhal ſhall free the Liſts from people of all conditions, ex-

cept a Knight, and two Squires of the Conſtables Train; and the Lieutenant, a Knight and two Squires of the Marſhals Retinue; which ſhall be in Armour, bearing Launces in their hands, which are not to be barbed with any Iron, to part and divide them when his Majeſty ſhall give the Word.

Theſe Knights and Squires are to bring neither Swords, Knives, Bowes, nor Daggers with them into the Liſts.

They of the Conſtables ſide are to keep one Corner of the Liſts, and there lay themſelves flat upon the ground: and in like manner ſhall they of the Marſhals ſide beſtow themſelves at another Corner of the Liſts, for none may appear upright within the Liſts, ſave the Conſtable and Marſhal.

And if the King be not preſent, then the Conſtable and Marſhal ſhall ſit in the place of the King, and the Lieutenant within the Liſts.

But if the King be preſent, then the Conſtable, ſitting upon a Seat before the King within the Liſts, as the King's Vicar General, ſhall Command his Lieutenant to accompany the Appellant; and the Marſhal, or his Lieutenant, with the like reſpect ſhall accompany the Defendant, and the Conſtable, ſitting at the foot of the Seat Royal, ſhall ſpeak with a Loud Voice. *Let them go, let them go, to do their endeavour.*

This ſaid, the Appellant going to the Defendant, ſtanding in the preſence of the King, ſhall with all his ſtrength aſſault him, and the Defendant ſhall be as wary as he can in his defence.

The Conſtable, and Marſhal, or their Lieutenants ought to be within hearing, as alſo within ſight, that if any of them ſpeak or make any ſign

he

he will renounce his Quarrel, or if the Kings Majeſty ſay but *Ho*, or give any other ſignal, then they who are within the Liſts, with the Conſtable and Marſhal, throwing their Launces between the Appellant and Defendant, ſo parting them, they ſhall not give way to either of them to aſſault the other, until the King Command they be free, or that the Conſtable declare his Majeſties pleaſure to be ſo, by ſaying. *Let them go, the King Wills it.*

Notwithſtanding that the Conſtable hath given the Defendant a ſet time to come in to his performance, yet, in caſe he cometh not according to the appointment of the Conſtable, right Judgment ſhall not paſs againſt him upon his default, until the firſt half hour after three of the Clock be clearly paſſed, Let the cauſe be treaſonable or otherwiſe.

But the Appellant, whoſe ſuit it is, ought to be there at his preciſe time, when the Conſtable ſhall firſt demand him; elſe his pledges have forfeited their ſecurity

The Appellant and Defendant ſhall be ſearched by the Conſtable and Marſhal, their Weapons and Arms queſtioned in all points, that they be avowable, and no Engine or Device not honourably Juſtifiable in them, and if they find any ſuch practice the party ſhall be outed of that Weapon; For Reaſon, Civility, and the Law of Arms will upon no Condition in Acts of this high performance admit of Treachery, or baſe Conſpiracy.

The Appellant and Defendant ſhall, as they themſelves agree, Cloath their Bodies; for that is left to themſelves; only the Conſtable ſhall examine, that they both have the ſame Armour, or other defence upon their Bodies. If

If the one of them deſire his Sword ſhou'd be ſhortned, ſo that it is ſhorter than the Meaſure of the Standard; the other is not bound to abate the length of his Weapon; but if they once agreed to fight with Swords longer than the Standard, allowed at the day of the Accounts within the Liſts, either of them may demand to have his Weapon made to anſwer the Meaſure of this Standard, and the other is in honour bound to make his conformable, being a demand lawful not upon fancy, and taſting of no private way or advantage.

Now the Conſtable and Marſhal are to be attentive to the King, if his Majeſty ſhall pleaſe to Command the Combatants ſhould be parted, to take breath, or for any other purpoſe, and in any caſe they muſt take much care how they part and divide them, and that at the Time they Interpoſe they be both of them in the ſame degree or poſſibility, and neither of them at the Mercy, nor in the hand of the other.

The Conſtable and Marſhal ſhall not ſuffer them to whiſper, nor have any private diſcourſe, for they are the Witneſſes, and in their Breaſts lies the record of their Words, and in no other place.

And if the Battel be grounded on a cauſe of Treaſon, he that is convicted and diſcomfited, ſhall be diſarmed by the command of the Conſtable and Marſhal: one Corner of the Liſt broken down in diſgrace of the party becoming Recreant, and being faſtned to a Horſe, ſhall be dragged from the place, where he ſo loſt his Arms to the block, and have his Head ſevered from him, or be hanged by the Neck or otherwiſe, according to the ſeveral uſages of the Countrys.

It

It is the office of the Marſhal to accompany the party to the place, and there in his view to ſee Execution done, and all the ſentence performed, and that as well on the part of the Appellant as the Defendant: for good Conſcience, Equity, and the Law of the Field, do exact that the Appellant, in caſe he be convicted, and becometh a Man vanquiſhed in his own proof, that he incur the ſame pain and hazard the Defendant ſhall do.

But if the Cauſe be another Crime than Treaſon, he that is ſo by the Body of his Adverſary convicted, ſhall loſe his Arms within the Liſts, and thence lead out to the place of his ſuffering, which is directed by the uſage of the Country, and this as well of the Appellant as the Defendant, as afore is ſaid, only he ſhall not be dragged, nor the Rails broken, unleſs it be in Treaſon, and not otherwiſe.

But if it be meerly an Act of Arms, a Tryal by Challenge allowed by the Grace of the King, Conſtable, and Marſhal, he that in that confeſſeth himſelf vanquiſhed, ſhall be diſarmed, degraded, and being led to the skirt of the Liſts, ſhall be toſſed, and thrown over, without any other Puniſhment.

If it pleaſe the King to take the difference and the Judgment of it into his hands, and command them to be Friends without any further Controverſy, then the Conſtable taking the Appellant, and the Marſhal the Defendant, ſhall bear them both before the King, and the King ſhall by the Conſtable ſignify his pleaſure unto them. Then they ſhall be both of them led together unto one of the Gates of the Liſts in all points, as they entred the Liſts, and be ſo conveyed out of the Liſts in the ſame Article of Time, that of them

no

no Man may ſay a Firſt out or a Laſt within the Liſt, ſince the King hath into his own Hand taken the Conſideration of the Quarrel.

It were diſhonourable that either of the ſides in a Battel, drawn by the Word of a King, ſhould ſuffer any diſhonour, the one more than the other: And the Ancient Tenet and Opinion hath been, that he that is firſt out of the Liſts, ſuffers a diminution of Honour. The Field being his in Honour, that is laſt Poſſeſſor of it, for he makes it good.

There ought to be double Liſts for the Servants of the Conſtable and Marſhal, and for the Serjeants at Arms of the King, where they are to attend and to defend that no Offence, Affray, Outrage, or other Miſdemeanor, againſt the Crys made openly in Court be committed, or ſuffered, or any affront that way be meant againſt the King's Majeſty, the Law and honour of Arms. Theſe Men ought to be in Compleat Arms.

The Conſtable and Marſhal may bring what power they pleaſe with them into the Field, and thoſe either Armed or otherwiſe at their Election.

The Kings Serjeants at Arms ſhall be the Keepers of the Doors and Portals of the Liſts, and to make all arreſts by command of the Conſtable and Marſhal, and them ſo arreſted to aſſure.

The Fee of the Conſtable is their Steeds and Arms, all that they bring with them into the Liſts, ſave only thoſe wherewith they fight. And of the party overcome. All his Arms and other things of the Combate are the right of the Conſtable.

The Fee of the Marſhal is only the Liſts, Bars, Seats, and other works for that Spectacle.

Several

Several curious Papers relating to Scotland *and* Ireland.

Never before Publiſhed.

A ſhort Narration of the Eſtate of Affairs in Scotland. *As they ſtood at the down ſitting of the Parliament,* January 1661. *And as they are now at the diſſolving of the ſecond Seſſion of that Parliament.*

Sent by the Earl of Middleton, *Lord Commiſſioner of that Kingdom to K.* Ch. II.

WHat can we ſuppoſe the condition of a People to be, who under the ſpecious but falſe pretences of Religion and Liberty, had by ſolemn Voices Engaged themſelves in a Publick Rebellion againſt lawful Authority, and were for many Years too Succeſsful in it, but endleſs Miſery and diſtraction? This was the Fate and State of the Kingdom of *Scotland* at the down ſitting of this Parliament, Which will more fully appear by conſidering ſome ſteps of the Rebellion, and the means by which it was carried on.

In the Year 1637. ſome ſeditious and diſcontented Perſons of all Ranks, being weary of that Peace and happineſs, Which to the envy of the World,

World, they had long enjoyed under the Royal Government of his Majeſty's Father and Grandfather of bleſſed memory. And reſolving to ſubvert his Majeſty's Authority both in Church and State, and to uſurp to themſelves the Sovereignty with an Arbitary Power over the Conſciences, Lives and Fortunes of their fellow Subjects, found it neceſſary to gain the concurrence of the People, by pretending abuſes in Religion and Religious worſhip, and their intentions to reform the ſame.

For this end having inveigled many of the Commons by ſolemn Oaths into a League or Covenant, Directly contrary and deſtructive to his Majeſty's Authority and ſtanding Laws of the Kingdom, Their firſt attempt was upon the Clergy by defaming their Perſons by many falſe and ſcandalous Reproaches from the Pulpits in time of Divine Service, By purſuing them with open Violence, and forcing ſome of them to Fly out of the Kingdom for ſafety of their Lives, And by ſeizing upon their Livelyhoods and Fortunes. And then they Uſurpt to themſelves the Power of calling and keeping Church Aſſemblies (which by the Laws did ſolely reſide in the King's Majeſty) And notwithſtanding that theſe * Meetings were by his Majeſty's Authority diſcharged under the Pain of Treaſon, yet they moſt Rebelliouſly continued therein, where with deſperate inſolence they took upon them, not only to deſtroy the Sacred and Ancient Government of the Church Eſtabliſhed by Law, but alſo they declared againſt the firſt Eſtate of Parliament as unlawful, and annul'd (ſo far as they were able) all the Acts of Parliament made in favour of the Church.

* *Aſſembly at* Glaſgow.

For

For maintaining of theſe their Treaſonable Actings, and for the carrying on of their further deſigns, They then betook themſelves to open War, forced the Country to riſe with them, ſlighted, contemned and Proteſted, againſt all his Majeſty's Royal Proclamations, Impriſoned and with Violence purſued ſuch of the Subjects as would not concur with them. And having raiſed great and inſupportable taxations upon the Kingdom for maintainance of their Forces, They marched with an Army and diſplay'd Banners againſt his Majeſty, who was coming in perſon to ſettle the Diſorders of his Kingdom.

The King's Majeſty being compaſſionate and tender of the Blood of his Subjects, upon their humble and fair Profeſſion did call a meeting of his Parliament, which had not ſitten long, when preſuming to encroach upon the Royal Prerogative, and to raze the very Foundations of his Government in Church and State, His Majeſty was neceſſitated to adjourn them: notwithſtanding which they ſat ſtill, and having approved their Covenant and all their former Treaſonable Actings in Purſuance thereof, They then avowedly attempted the Subverting of his Majeſty's Government, the annulling of the Royal Prerogative, the diſſolving of the Ancient Conſtitution of the three Eſtates of Parliament, and the reſcinding all the Laws of the Kingdom eſtabliſhing the ſame.

In the Proſecution of their deſigns conceiving that the pretence of Church Reformation would take moſt with the People, * They began with reſcinding and annulling all Laws and Acts of Parliament, made in favour of the Church. They annull and diſcharge the third Eſtate of Parliament

* *Parl. 1640. Cap. 6. Page. 20.*

Parliament, and eſtabliſh a new conſtitution of their own. And having thus lay'd aſide the Clergy, they found themſelves not yet ſecured; Whilſt his Majeſty, according to his undoubted Right and Royal Prerogative, had a negative Voice in Parliament, and therefore by * publick Act they declared their preſent meeting, (wherein his Majeſty was not preſent neither by himſelf nor his Commiſſioners) conſiſting of Noblemen, Barons, and Burgeſſes only, to be a compleat and perfect Parliament, and all Parliaments there after to be conſtituted and conſiſt only of Noblemen, Barons and Burgeſſes, as the members of the three Eſtates, without the leaſt mentioning of the King, the Clergy, or Officers of Eſtate, Who by the Fundamental Government of the Kingdom were eſſential and conſtituting Members of Parliament, and by another † Act they took away his Majeſty's right of choſing the Lords of the Articles, and uſurpt it to themſelves.

* *Parl.* 1640. *Cap.* 2. *Page* 4.

† *Parl.* 1640. *Cap.* 3. *Page* 5.

Having thus inveſted themſelves in the Government, they reſolved to ſtrip his Majeſty of all his Royal Prerogatives, and of all intereſt in the Government, for albeit they well knew that the nomination of Officers of Eſtate, Councellors, and Judges did unqueſtionably belong to his Majeſty, as an undoubted Privilege of the Crown, yet by publick * Act they declared, That then and in all times coming, theſe nominations ſhould be by the approbation and advice of the Parliament, as they were by themſelves then conſtituted, whereby his Majeſty was robb'd of his right of nomination, and all publick Offices intail'd to themſelves on ſuch as they pleaſed to name.

* *Parl.* 1641. *Septemb.* 16. *Cap.* 15. *Page* 414.

And for the further ſecuring themſelves in their

their Uſurpations, and that they might have Power to overrule the Kingdom to a full Submiſſion to them, they * paſt an Act for new Meetings and Seſſions of Parliament once every three Years, which meetings they conſtantly kept for the ſpace of two or three Months every Year, without the preſence of the King or his Commiſſioner, and contrary to his expreſs commands, and therein exerciſed the higheſt Acts of Tyranny and Oppreſſion, by Fining, Confining, Baniſhing, Murdering and Forfalting all ſuch of his Majeſty's good Subjects as would not join with them, by raiſing of new Armies, and Taxes and Impoſitions upon the Kingdom to Maintain them, and by doing and exerciſing all the Acts of Government belonging to the King's Majeſty; ſo that there being nothing to ſtand in the way of their abſolute Conqueſt, Save only the Reputation which his Majeſty's Authority had among the People, They reſolved alſo to diminiſh that, not allowing him ſo much as the keeping of his own Houſes, and for that end by a new publick † Act they declared, that the keeping of his Majeſty's Caſtles, and Houſes, ſhould only be entruſted to ſuch as they ſhould give advice for, and approve of.

* *Parl.* 1640. *Cap.* 17. *Page* 30.

† *Parl.* 1640. *Cap.* 18. *Page* 30.

Having thus, as they conceived, Eſtabliſhed themſelves by Law in their Uſurpation, they then paſt * another Statutory Act, ordaining all the Subjects to acknowledge the Lawfulneſs of their Proceedings, and to oblige themſelves by Bond to concur with their Lives and Fortunes in the Maintenance and Proſecution thereof, and to take off all ſcruples from the Subjects therein, they lay'd aſide the Oath of Allegiance Eſtabliſhed by Law, and taken in courſe by all who entered into any Truſt Civil or Eccleſiaſtick: And in lieu

* *Parl.* 1640. *Cap.* 38. *Page* 55, 58, 59.

* *Parl.* 1641. *Act* 5. 18 *Auguſt Page* 67.

thereof, by Authority * of theſe Parliaments, they impoſed new Oaths relating to the Covenant, and modelling the Allegiance of the Subjects to the reſtrictions mentioned in their Covenants.

By all which Acts, and many more having robb'd the Crown of all its Prerogatives, and by the Acts of their pretended Parliament having Eſtabliſhed Sovereignty in themſelves, they have upon theſe grounds carried on the Rebellion ſince the Year 1637. And, leaſt the People ſhould be weary of their Uſurpations from time to time, they appointed that at the Adminiſtration of the Lord's Supper, all the People ſhould renew their Covenant, and ſolemnly Swear to adhere to theſe Principles; and hoping that by Time, ſuch who lived under his Majeſty's Government being taken away by Death, a new Generation might riſe, by whom (being bred in the Principles of Rebellion) they might Perpetuate themſelves in their Uſurpation.

Under this model of Government, wherein Rebellion againſt Authority was approved and authorized by Law, the Government of Church and State deſtroyed, and an Arbitrary Power erected in both by pretended Acts of Church and State, the Royal Prerogative taken away by Acts of Parliament, did the Kingdom of *Scotland* continue till the begining of this Parliament, all theſe Acts and many Hundreds more of the ſame tendency being then ſtanding in force as Publick Laws of the Kingdom, ſtrengthened by 20 Years Practice, and many renewed Oaths and Covenants for the Obſervation thereof, and the Royal aſſent pretended for the moſt part of them: And in this conſtitution was the Kingdom of *Scotland* when the

Earl

Earl of *Middleton* was imployed by his Majeſty as his Commiſſioner to reſtore and reeſtabliſh his Authority within the ſame.

Notwithſtanding all which, it has pleaſed Almighty God ſo to bleſs the Care and Faithfulneſs of the Earl of *Middleton* in this Truſt under his Majeſty, that, over and againſt all the difficulties and obſtructions he met with from theſe who own'd the obligation of the Covenant, the ground of the Rebellion, to be yet in Force, By the Authority of Parliament and publick Laws paſt therein, the Rebellion in all its ſteps is fully condemned, and the very foundations of it raz'd and pull'd up; The Kings Majeſty is reſtored to his Sovereign Authority, and the Royal Prerogative more clearly and fully aſſerted than ever it was formerly; The Church is reſtored to its Ancient and right Government, and to all the Privileges and Poſſeſſions belonging thereto, The Kingdom is reſtored to its former Liberty and Peace, the Laws to their free courſe, the Judicatories to their Subordination and Dependance on his Majeſty, and the Subjects to their due Allegiance and Intereſt in their Properties.

This will more fully appear, by a view of the particular Acts and Actings in Parliament theſe two Seſſions thereof.

The Lord Commiſſioner in the firſt meeting of the Parliament, having in his Majeſty's name given aſſurance of his Majeſty's conſtant affection to this his Ancient Kingdom, and of his Royal Reſolution to preſerve it in its Freedom, and to maintain the Juſt Liberties of his People, and that he expected that, in a due ſence of his Royal Grace and Favour, they will be ready to aſſert the Ancient Royal Prerogative, deſired

that for a preſent Teſtimony thereof they would preſently take the Oath of Allegiance in thoſe terms it was conceived before the Troubles, which was preſently done by all the Members of Parliament ſave one, and a publick Act was paſt, Diſcharging all thoſe new Oaths, which during the Rebellion had been uſed in place thereof,

In the next place, for the better conſtitution of the Parliament, and eſtabliſhing his Majeſty's negative Voice therein, Publick Laws were preſently made, by which his Majeſty's Royal Prerogative in the election of his Officers of State, Councellors, and Judges, And in the calling and diſſolving of Parliaments, and making of Laws was aſſerted, and the Impugning or Queſtioning thereof for the future declared Treaſonable, and all Laws, Acts and Conſtitutions to the contrary were repealed.

His Majeſty's Prerogative in Parliament being thus ſettl'd, the next care was to aſſert it as to the ſole Power of Arms, raiſing and commanding of Forces, making of Peace and War, or Treaties and Leagues with Forreign Princes and at Home, and as to the Aſſemblies, Meetings, and Conventions of the People; and accordingly Publick Acts were paſt in Parliament for the Prerogative in all theſe, and declaring it Treaſon to offend againſt the ſame.

And, that their expreſſions of duty might not be confined within the walls of the Parliament Houſe, it was by an other Law enacted, that all Perſons who ſhould hereafter be admitted to any publick Truſt within the Kingdom, ſhould before their admiſſion thereto, take the Oath of Allegiance, and under their Hand Writings give

give a full acknowledgment of the Royal Prerogative, as it has been aſſerted in this Parliament: Which is more fully to be ſeen in the printed Records thereof.

And ſeeing the Covenant, which was the great *Idol* of the times, was not as yet fully rooted out of all the hearts of the People, it was thought fitteſt at firſt to aſſault it in all its Parts, and therefore an Act was paſt, Declaring the obligation of the Covenant, in relation to the affairs in *England* and *Ireland*, Void and Null, And divers Acts and Meetings of pretended Parliaments and Conventions of Eſtates, wherein the Covenant was approved, were reſcinded.

The Parliament, being now in a right way of their Duty, were ſo ſenſible of their own and the Kingdoms Happineſs in it, and in his Majeſty's Government, that, for an Expreſſion of their Thankfulneſs, they notwithſtanding all their great ſufferings during theſe Troubles, made a free cheerful and hearty Offer to his Majeſty of a Yearly Annuity of 40000*l. Sterlin* (a Sum far above whatever was given in that Kingdom formerly) and by publick Statute engaged for, and ſecured the Payment of it.

By this time the Members of the Parliament, having had occaſion of recollecting their own Thoughts, and communicating them with their Relations and Acquaintances in the Country, and finding the general Inclinations of the People growing every day more Affectionate and Zealous towards his Majeſty, They thought it not fit any longer to meaſure out the Expreſſions of their Duty to their King by parcels, but once for all to give unto his Majeſty and the whole World an unqueſtionable Evidence of their Loyalty, by pulling up

the Roots of the Rebellion, and Eradicating the very foundations of it, that there might not remain any Seeds of new troubles: And therefore it was propoſed that a general Act Reſciſſory ſhould be paſt, Reſcinding and Annulling theſe pretended Parliaments, Conventions, Committees, and other Meetings flowing from them, which had been kept in that Kingdom ſince the beginning of the Troubles. But this Act (Tho' the very Touchſtone of Loyalty, without which neither his Majeſties Authority, nor the publick Peace could be well ſecured) met with oppoſition from ſuch, whoſe Hearts were ſtill hankering after the Covenant and the Rebellious Ways of it; And this oppoſition appeared the more Diſcouraging to honeſt Men, that ſome Perſons who were eminently Truſted by his Majeſty, and had ſhar'd moſt largely in his Bounty, appeared in it. Yet this being an act of ſo great neceſſity and importance to his Majeſties Eſtabliſhment, was againſt all difficulties offered to a determination in Parliament, and was moſt cheerfully concluded and approved, There being in that numerous Meeting only about thirty Diſſenters, and ſome of theſe very inconſiderable.

And now this being done, the Kingdom and the Government of it both in Church and State was thereby intirely given up to his Majeſty, and left as fully and freely to him as ever any of his Royal Predeceſſors enjoy'd the ſame. And this Act was not the leſs conſiderable, that by it diſcoveries were made both of thoſe who were for rooting out the ſeeds of Rebellion, and alſo of thoſe who were for having a ſtock of it ſtill remaining, and the Covenant to lye ſtill as a ground of afterwork, if need were.

This

This being over, and ſome Acts of Juſtice being done againſt one or two of the moſt Eminent and Malicious Promoters of the late Rebellion, it was the Parliaments next care to enact ſuch Laws as were neceſſary for promoting of Virtue depreſſing of Vice, and for the right ordering the Civil Intereſts of the People in the due adminiſtration of Juſtice among them: But ſeeing that during theſe troubles ſuch were the unſupportable ſufferings of all ſorts of People, that neither thoſe of the Nobility or Gentry, who owed ſumms of Money, were able to pay the ſame at the preciſe Times preſcribed by the Law, nor yet thoſe, to whom the Moneys were owing, were able long to ſpare them, being the means of their Livelyhood, and that hereby ſome Grudges and Animoſities were like to riſe in ſeveral corners of the Kingdom; And moſt of the Members of Parliament being interreſted either in the one ſide or other, and the ſettlement therof being thereby rendred the more difficult, the Lord Commiſſioner, for the good of his Maſters ſervice, made it his work to interpoſe betwixt them, and was ſo happy in it, that in few days a publick Act was fram'd in relation to, and for ſecuring the Intereſt both of Creditor and Debtor, and being preſented to the conſideration of the Parliament, was unanimouſly paſt and approved without one diſaſſenting voice of either Party.

And now the King being thus ſecured in his Authority, Prerogative, and Government, the Kingdom in its peace, and the People in their rights, the Lord Commiſſioner was according to his Majeſties call to return with an accompt of his Proceedings to his Majeſty: And therefore adjourn'd the Parliament for ſome Months, during

ring which time his Majeſty having publiſhed his reſolution for reſtoring the Church to its ancient Government by Biſhops, this was ſo acceptable to the Kingdom, that the Parliament, at their firſt meeting after their adjournment, did commiſſionate three Noblemen, three Barons, and three Burgeſſes, Members of the Houſe, in their name to invite the Arch-Biſhops, and Biſhops to come and take their places, and vote in Parliament, conformable to their ancient Rights: Which being accordingly done, ſuch publick Laws and Acts were made as were thought fitteſt for their reeſtabliſhment in their Offices, and their reſtitution to their Dignities, Poſſeſſions, Privileges, and Rights duly belonging to them.

And, becauſe during the Rebellion, great Art had been uſed by the Preachers in their Sermons, and other ways, to poſſeſs the people with moſt wicked Principles, that it was Lawful to riſe in Arms, and to join in Covenant for Reformation of Religion, and upon pretence of being for his Majeſty's Authority to oppoſe his Perſonal Commands, and that by their Covenant they were obliged to the ſame, it was judged neceſſary, and accordingly an Act was paſt in Parliament for preſervation of his Majeſty's Perſon, Authority, and Government, wherein theſe Poſitions were Condemned, and declared Treaſonable, and the Covenants declared unlawful, and the Obligations thereof void.

And ſeeing the late Troubles for the moſt part were begun and carried on by the unfaithfulneſs of ſome Miniſters of State, the Parliament conceived they could not be anſwerable to their Duty, if they did not, ſo far as they were able, provide againſt the like prejudices for the future: And con-

conſidering that ſuch Perſons, who own'd the Covenant to be Lawful, and the Obligation of it to be ſtill in Force, were not fit to be intruſted in the publick Adminiſtrations of his Majeſty's Government at this time, it was therefore Enacted, that all ſuch who enjoyed, or ſhould be called to any publick Truſt, ſhould expreſs their Senſe of the Covenants, by ſigning the Declaration of Parliament, aſſerting the Unlawfulneſs and Nullity thereof.

His Majeſties Authority and Government being now ſecured, it was thought fit that the Adminiſtration of it ſhould be tempered with that Moderation, which might endear all good Subjects to it: And conſidering that ſince the year 1648. many Miniſters had been thruſt in upon their Pariſhes, without any preſentation or right from the Lawful Patrons, and according to the Laws of the Kingdom had no Title to the Benifices and Stipends, the Parliament obliged all the Patrons to grant Preſentations unto them, and the ſeveral Biſhops to give Collation thereupon, Provided the Miniſters required and accepted the ſame within three Months after. And albeit many of them ſlighted this Favour, Yet his Majeſty's Council, to make them inexcuſable, was pleaſed, after the expiring of thoſe three Months, to indulge unto them a further time: By which it may appear how tenderly they have been dealt with, and what is to be expected from Perſons contemning ſuch Favours.

The Affairs of the Church and Kingdom being thus ſetled, His Majeſties gracious Pardon and Indempnity was then to be paſt in Parliament; but becauſe, during theſe troubles, many Perſons of Honour and others of all Degrees, for their adhe-

adherence to and acting for his Majeſty had been robb'd of their Fortunes, and their Families thereby brought ſo low, that they were not able to ſubſiſt, it was by his Majeſties allowance conceived Juſt, that towards their reparation ſome ſmall Fines, to the value of one years rent or thereabouts, ſhould be impoſed upon ſuch who had been eminent and active in theſe troubles, by which their ſufferings were occaſioned: And that ſome few Perſons, not exceeding the number of twelve, ſhould be declared incapable of publick Truſt. And, it being his Majeſties gracious Reſolution that all Animoſities among his Subjects ſhould be taken away, and that all of them might live in Peace and Unity under his Government, it was thought moſt ſuitable to that end, and for preventing all Prejudice and Rancor that might ariſe, by a publick Vote in Parliament, to provide that the excepting of the twelve Perſons ſhould be by Billeting, yet ſo that the Billets ſhould not at all be made known, but repreſented cloſe to his Majeſty, and left entirely to his Royal diſpoſal.

By all which it appears, that a Rebellion begun and carried on upon pretence of Religion and Reformation, ſtrengthned by twenty years Succeſs, confirmed by ſolemn and renewed Oaths, and Covenants, and in which his Majeſties Authority, and Government both in Church and State, the Liberties of the Kingdom and the Rights of the People were deſtroyed, is now within the ſpace of twenty months rooted up, and in lieu thereof his Majeſties Authority, and Royal Prerogative more fully aſſerted and eſtabliſhed by law than formerly, the ancient and right Government of the Church reſtored and ſetled,

the

the Laws and Rights of the People ſecured, and the Kingdom fully returned to his Majeſties Obedience. So as nothing remains to the perpetuating of this happy condition, but the imploying of perſons well principled and affectionate to this Change in the future adminiſtrations of it.

A ſhort Eſſay upon the diſorders of Scotland.

DIſorders in *Scotland* have been cauſed by,

1. Defect of Proportion in the Princes Authority. As

1. His Authority being limited in the makings and abrogating Laws, having not ſo much as a Negative, but muſt ratify what is agreed on by the ſuffrage of the greateſt part of the Nobility, and Commons in Parliament.

2. In the creating and depoſing Officers, the principal being not in the Princes diſpoſal, but hereditary, as the Conſtableſhip, Admiralty, Marſhalſhip, Shrievalty. The Sheriffs there not only executing *res judicatas*, but ſitting and determining within their Precincts.

3. He has no univerſal Authority as to Pardon and execution in matters of Life and Death, divers of the Nobility having *jus hereditarium* in matters Criminal to Execute and Pardon within their Precincts and Juriſdiction, which cannot be taken from them, nor ſuſpended by the Prince.

4. As to Leagues and War, he is to have the conſent of the Orders in Parliament, his Subjects indeed are to follow him thirty Days in his Wars at

at their own Coſt, but no longer, except agreed by a new Convention.

5. As to Appeal, it lyeth not in him Supremely and Univerſally, divers of the Nobility holding and executing *haute Juſtice* abſolutely without Appeal to the Prince, within their Juriſdictions, by Charter Hereditary, which the Prince cannot avoid or take from them. As for example, in the E. *Morton*'s Charter, which *James* the Third tore openly in Parliament, offended with the largeneſs and abſoluteneſs of it, eſpecially with this point, of no Appellation to the Prince, adding that himſelf could have no more: But before he removed from the place where he tore it, he was forced by the Nobility to ſit down, and to ſew it up again with his own hand, and for that cauſe it is yet called the *Sewed Charter*. Beſides the ſentence of the Lords of the Seſſion is peremptory, and not appealable, nor remiſſible by the Prince.

Theſe Reſtraints he ſuffers in his Authority in the Civil and Southerly Parts; among the Highlanders, and Iſlanders, he hath no more than what he gets *precariò aut vi*.

2. In His Revenue. As

1. Crown-Land, about 50000*l*. *Scottiſh*, *per Annum*, is 5500*l*. *ſterl*.

2. Cuſtoms which cannot be great, by reaſon of their ſmall Exportation, of Fiſh, Salt, Hides, *&c*. which amounteth in the whole but to 200000*l*. *ſterl*. *per Annum*, (*ex relatione Inſtitutoris ſeu Conſervatoris publici*). The Cuſtom whereof cannot be much, the Impoſt none.

3. Confiſcations and Wardſhips, which for the moſt part are craved, *pœnè Imperativè*, by the Nobility, in whoſe Juriſdictions they fall.

4. Mines of Lead, Farmed out. Of Gold and Silver

Silver there is great likelyhood, for that in certain Bourns and ſmall Streams Weſtward, are found ſmall pieces of pure Gold among the Sand. That which they have cometh out of the Copper Mines, and it ſeemeth that the Queſtion is ſcarce decided amongſt them, whether the Mines accrue to the King or no, ſome being of another mind by reaſon of the Words that run in the Noblemens Charters, *to hold and poſſeſs their Lands a ſummo Cælo uſq; ad imos Inferos.*

5. Church Lands, which at the diſſolution of Abbeys, *&c.* were divided among the Nobility by Act of Parliament. They holding faſt to their rule. *Regem non oportere diteſcere.*

6. Tenths. In lieu whereof he hath the third of ſuch Benefices as exceed 300*l. Scottiſh per Annum*, which are few. The whole number, both above and under that ſumm, within the realm, being not above 300.

7. Tax and Impoſition, in the Southern Parts, impoſed ſometimes for the King's relief.

The ſtate ſeemeth ſomewhat like the *Lacedemonian* Mixta Βασιλαρισοκρατία but worſe ſett: for that in the other, the King and the *Ephori* had their Authority Determinate, here uncertain and under continual Contentions, Jealouſie, *&c.*

3. Exceſs of proportion in the Nobility. As

1. In their Number which is more than in *England*, tho' their Countrey leſs, and leſs Fertile, whereby the Prince is eclipſed, and the Government burthened.

The names of their Nobility are as followeth *Dukes.* 1. *viz.* of * *Lenox.*

* *Since the writing of this Paper, there has been ſome alteration in the Nobility, which the Reader will find in any of the modern accounts of* Scotland.

Earls 23. *viz. Orkney, Cathnes, Sutherland, Murrey,*

Murray, *Angus*, *Morton*, *Argile*, *Erroll*, *Huntley*, *Keyth* Earl Marſhal, *Crawford*, *Atholl*, *Montros*, *Rothes*, *Marre*, *Menteith*, *Glencarns*, *Eglington*, *Caſſill*, *Bothwell*, *Arran*, *March*, *Buchan*.

Lords Barons 30. *viz.* *Maxwell*, *Lovett*, *Salton*, *Innermeith*, *Ogilney*, *Glammes*, *Grey*, *Methuen*, *Oliphant*, *Dromont*, *Downe*, *Linſey*, *Sinclare*, *Elphingſton*, *Shapill*, *Fleming*, *Roſſe*, *Sommerville*, *Cathcare*, *Boyd*, *Cathcltree*, *Herris*, *Sanguiar*, *Hunt*, *Leſter*, *Bothreth*, *Seaton*, *Rexan*, *Arbroth*, *Cloyde*.

Beſides Lards, whereof many are Barons, and of equal credit and revenue with the Lords.

2. In their Authority, they being all born Councellors of State, and in making publick Laws and Orders, Leagues, Wars, Officers, determining in High Juſtice, and other matters of State, their Authority being joint and neceſſary with the Prince, and more than can ſtand with a juſt Monarchy the rather, becauſe the Boroughs and Burgeſs Towns are wholly at the devotion of ſome Noblemen or others, (very few excepted) as, *Cowper in fife* at the E. Rothos, *St. Johnſtown* at the E. *Montros*, *Dundy*, at the E. *Crawfords*, the *Northern Towns* all at the E. of *Huntley*'s Command, *&c.* whereby having their own and the Commons Votes in Parliament, nothing can paſs to their prejudice. Beſides their Authority over their Vaſſals, Clients, and Tenants, the Countrey having few or no Freeholders, but ſuch as hold at the Lords Pleaſure from Year to Year.

3. In their Revenue: ſome having 16, ſome 18, ſome 20ſcore Chawder of victuals by the Year, more or leſs beſides ſome part in Money, which may amount to 20000*l.* *Scottiſh*, which reſpecting the great number of Nobility and

Lards

Lards (which are equal in revenue many of them with the Lords) and the quantity and quality of that Countrey, muſt needs exceedingly draw from the Prince and Commons.

4. Defect of Proportion among the Commonalty.

1. Among the Burgers; As *Merchants* who by reaſon of their little exportation, and that for Commodities imported, cannot be rich, he being accounted a great *Merchant* that is worth 1000*l. ſterl.* and *handy Craftsmen*, who have but ſmall trading, and few trades; their chief trades for home Commodities, ſome courſe Cloth making, Armory, making of Linnen *&c.* all but from hand to mouth. *Lawyers* few, and thoſe about the Court of Seſſion of *Edenburgh*. In the Countrey all things going according to the Lords pleaſure.

2. Among the *Tillers* or *Huſbandmen*, who live very poorly and hardly, there being few houſholders (which are called good Men). They are indeed but *Servi prædiales* or *partiales* to the Lord, and pay the Commodity that riſeth of their Labours in a manner all to him, reſerving to themſelves, at the Years end almoſt nothing elſe but to live upon.

A Di-

A Diſcourſe upon the Union of England *and* Scotland, *Addreſs'd to King* Charles II. March 19*th in the Year*, 1664.

WHen the Kingdoms of *England* and *Scotland*, became United under one Soveraignty in King *James*, in whom the Title of theſe Crowns did meet, there were many endeavours uſed by him to advance the Union of both theſe Kingdoms, as far as the temper of that time would bear.

The King propoſed it in the Parliament of *England* at his firſt entrance; The Parliament accepted it, ſo far as to appoint Commiſſioners both Lords and Commons, to meet and treat with Commiſſioners to be appointed by the Parliament of *Scotland* in order to this Union. The Powers given them were, to Treat and Conſult of the Union of both Kingdoms, and ſuch other things as they ſhould Judge neceſſary for the Honour of his Majeſty, and the common Good of both Kingdoms, during his Majeſty's Life, and under all his Royal Poſterity for Ever.

The Parliament of *Scotland* meet, and appoint Commiſſioners accordingly as the Parliament of *England* had done. The Place of meeting is by the King appointed to be at *Weſtminſter*. The Commiſſioners of both Kingdoms accordingly did meet, and agreed on certain Articles, which were afterwards preſented to the King, and to the Parliament of each Kingdom reſpectively

The

The ſumm of theſe Articles were.

1. To Aboliſh all hoſtile Laws, and all Memory of Hoſtilities upon the Borders.

2. To Eſtabliſh a mutual Commerce between the two Kingdoms.

3. To make an equality of Laws and Privileges in both Nations, in reference to Foreign Trade, the particulars whereof were many.

4. To make a general Naturalization in both Nations, *viz.* That the *Poſt-Nati* ſhould be made capable of all Inheritances, Privileges, Offices, and Dignities whatſoever; that the *Ante-Nati* ſhould be alſo Naturalized as to all Inheritances, Privileges and Freedoms, but with an Exception to all Offices of the Crown, Power of Judicature, and Voices in Parliament; but this Exception was, with only a Salvo to the King's Prerogative, and the Rights of the Crown as to denization, *&c.*

Theſe Articles being preſented to the ſeveral Parliaments, in both their paſſed Laws for aboliſhing Hoſtilities, and for Eſtabliſhing Trade and Commerce both at Home and Abroad, but in the Parliament of *England* the Articles for Naturalization did not paſs in any Part; the *Engliſh* then deſiring an Union of Laws alſo, which the *Scots* declined, and the *Engliſh* refuſing the one unleſs the other were accepted.

But this Naturalization hath been in Part ſupplyed ſince, by the Judgment given by all the Judges of *England*, who declared the *Poſt-Nati* to be natural Subjects by the Common-Law, as born under the King's Obedience, and ſo capable of all Inheritances, *&c.* Colvil's *Caſe* in Cook's *Reports.*

The other part as to the *Ante-Nati*, is almoſt ſupplyed by Time, they being almoſt all worn out *Note, Th in* Irelan *Acts hav paſſed of full Nat relization*

out in theſe 62 Years which have paſſed ſince the Union, though ſomething yet remains, which can only be done in Parliament, as to the Titles derived from the *Ante-Nati*, which remain yet imperfect, through the defect of Natural Blood in them from whom they claim.

Thus the Union ſtands at this Day, to which no degree is to be added, but the Union of Laws; by which is not to be meant a mixture, and compoſition to extract a new Form out of the Laws of both Kingdoms, which as it was not poſſible in that Age, is leſs Poſſible in this, nor to be attempted without Danger.

If then by an Union of Laws, is to be underſtood an Union, and incorporating of *Scotland* into *England*, under the Laws of *England*, and with the ſame Priviledges which the People of *England* do enjoy under the ſame Prince. If ſuch an Union as this can be made by ſteps that are ſafe, it will without doubt add very much to the greatneſs and ſtrength of this Monarchy. When all the People, and all the Lands of *Scotland* ſhall be added to, and made Part of *England* to be Govern'd and Improved by the ſame Laws, and Authorities, and to be diſpos'd to the ſame common Intereſt and Advantages; it will be then that the Union of *Scotland* will be a true acceſſion to this Monarchy. Whereas now it ſerves rather to fill the Number of the King's Titles, than to add any true weight to his Titles. Such an Union as this will Extinguiſh all Foreign Dependencies, which perhaps have yet too much Life in them, and will never Die whilſt a diſtinction doth remain.

This is that Policy which all wiſe Princes have endeavoured to follow, where ever occaſion hath been offered.

The

The Monarchy of *France* owes all its Greatneſs to Unions of this Nature, having always converted all its Acquiſitions, and all the Provinces that have been United to that Crown, either by Alliances or by Arms, to add to the ſtrength of its own Body. Thus *Normandy*, *Guienne*, *Britanny*, *Burgundy*, have been additions to that Monarchy, and *Provence*, and *Dauphine* may be reckoned in that number, though in elder times Theſe had all different Princes, and different Laws, though ſome of them were Feudatory to the Crown of *France*, but being once united to that Crown, they were made Part of the ſame Body, and ſo added Weight and Strength to that Monarchy.

The Monarchy of *Spain* hath endeavoured this Policy, though with leſs ſucceſs, for which the Cauſes are as Evident, as the Difference of the Event.

His Remote Acquiſitions have not been capable of this Counſel, and have therefore continued rather as Ornaments, than as a real ſtrength; and have contributed more to exhauſt, than to ſupport that Monarchy. *Low-Countries*, Milan, Naples, &c.

In *Arragon* it hath ſucceeded, and that Part of *Spain*, which before and for ſome time after the Union to *Caſtile*, had more different Laws and Privileges, than any are between *England* and *Scotland*, is now united under the ſame Laws, as well as the ſame King, and made part of the ſame Body.

In *Portugal* it was endeavoured, but ſucceeded not. It was the great deſign of *Philip* the Second to have united *Portugal* in the ſame manner, and did therefore from the firſt Proſpect of his Succeſſion to that Crown, upon the Death of King *Sebaſtian*,

lay all his Councils to diſpoſe and prepare that Kingdom for ſuch an Union. But though the ſituation and Language made this appear eaſy, and ſo may be made Parallel to this Caſe of *England* and *Scotland*, yet if we examine the Reaſons of that ill Succeſs, we ſhall find no cauſe to apply it to ours.

Beſides the natural Averſion of *Portugal* to be made an acceſſion to *Caſtile*, that King had but a weak and a * diſputed Title, and was forced to gain his Poſſeſſion by Arms, and the Averſions of that People being kept alive by the Titles of thoſe † Pretenders made them uncapable of ſuch an Union, and hath now reverted to its former Separation.

* *Don* Antonio, *Prince of* Parma, *and the Duke of* Braganza.

But the Caſe of *England* and *Scotland* hath not this Difficulty, all imaginable Titles to both theſe Crowns being centred in this King.

† Conneſt. del' unioni, *&c.*

In this are all the advantages of Scituation, Language, Religion, *&c.* The ſame Iſland, and now for above 60 Years fellow-Subjects to the ſame Princes, and all diverſity of Manners being almoſt quite extinguiſhed, by the mutual Commerce and Converſation which hath paſſed in this time.

The difficulties in this matter to be conſidered, are in reference to,

1. The Union it ſelf.
2. *Scotland* that is to be united.
3. *England* and the preſent time.

1. In the Union it ſelf are theſe difficulties. *Scotland*, muſt quit not only their Laws, but what depends on them, their Courts and Judicatures, their Parliaments muſt be extinct. All thoſe Offices which depend on them will be all extinguiſhed, and thoſe Perſons who poſſeſs them

them, ſome of them by Inheritance, will expect and muſt have Satisfaction.

The Nobility of *Scotland* are numerous, and have all Votes in their Parliament, in this Union there can be admitted but a Part. It will be hard to make the Election, and to Satisfie the reſt in the loſs of ſuch a right.

2. To the *Scotch* Nation, the great Queſtion is, how far they are really diſpoſed to ſuch a reſignation as this requires? which in the firſt Place ought to be very well weighed before any ſteps be made in it; leaſt the attempt of ſuch a Councel, when the matter is not well diſpoſed, does, by deſign, or by accident, produce quite contrary Effects. There are many Arguments for Jealouſy in this matter, and there is one to perſwade ſome belief, *viz.* That when the King return'd to his Crown, he found *Scotland* under a Subjection to *England*, impoſed upon them as the effect of a Conqueſt in theſe late Wars, and had Arguments in his Hands, both in Policy and force, to have held them ſo to perpetuity. Their redemption from this they owe to the King's Grace and Generoſity, and if this hath given them a juſt confidence to reſign themſelves to ſuch an Union, under the Protection of ſuch a Prince, it is but a wiſe, a juſt, and a proportionable Return to ſo great a Benefit.

But theſe Reflections are uncertain things, the beſt meaſure to proceed ſafely in this affair both for his Majeſty and his Miniſters, is to be upon the Defenſive, *viz.* If this deſire come from *Scotland*, and with ſincerity (without which the whole Councel is vain) let *Scotland*, make its own Propoſals, and in Writing, and ſo the Treaty will proceed with Security and Certainty.

3. As to *England*, and the preſent temper of things here, there are many conſiderations of weight.

1. Whether this will be a thing grateful to *England*, or no? For though the Glory of the thing may promiſe it, the natural prejudice, with which all new and great Changes are receiv'd here, may make the Event dubious.

2. Whether the Trade of this Nation will be diminiſhed or encreaſed by ſuch an Union. Though in the end certainly ſo great an acceſſion of People muſt neceſſarily advance the Trade of this Iſland, it's poſſible that for ſome time, ſo great an addition may make a diſcompoſure.

This, I find, was a thing much feared by the Parliament and People, at the beginning of King *James*'s Reign upon this Queſtion.

3. Whether by ſuch a Mixture as this, the divided Intereſts and Parties here in *England*, will be ſtrengthned or weakned? Whether, ſince it is Evident that *Scotland* hath as great a ſhare of ſuſpected Intereſt, the King will by this Union be better enabled to govern them, both here and there, and in time to Extinguiſh them, or thoſe Intereſts become thereby more united and more dangerous?

If this matter proceeds, ſome Councels will be neceſſary to be previous, both to diſpoſe this Nation for it, and the Kings affairs here, to receive the true Advantages of ſo great a Work.

The Grievances of Scotland *in relation to their Trade with* England. *Sent up to the Council,* 3 Febr. 1668.

WE have received your Lordſhip's Paper of the firſt of *February* Inſtant, Signed by your Lordſhips order, *John Walker*, in anſwer to ours of the 25*th* of *January* laſt. To which we return this Anſwer. That as we are and ſhall be very far from Formalizing in a Buſineſs of ſuch a Concernment. So when your Lordſhip ſhall Conſider the Dates of our Papers, we hope you will find we have not been the cauſe of any loſs of Time or Delay. By your Lordſhips firſt Paper you deſired to have the whole in Proſpect, and we did Conceive you had it by our firſt Paper, wherein We Repreſented, that Contrary to the Privileges declared to belong by Law, to his Majeſty's Subjects of *Scotland*, born under the Allegiance of the King: And Contrary to that Freedom of Trade enjoyed for ſo many Years, ſome Acts have been made, ſince the 25*th* of *March* in the 12 Year of his Majeſty's Reign. We Expreſt very particularly what related to the *Act of Navigation*, and where we ſaid, That by other Acts of Parliament ſince that time ſome Goods and Commodities of *Scotland*, are at ſome times Charged with a Duty and Impoſition equal to, or above their Value: we doubted not but your Lordſhips Conceived, we meant that Branch of an Act, Charging *Scots* Cattle brought into this Kingdom after the 24*th* of *Auguſt*. And that by the Cuſtom and Impo-

ſition Charged upon ſome Goods of *Scotland* about ſixteen times more then the Foreign Goods of the like Nature; we meant the Act *Impoſing ſixteen Shillings and eight Pence on each weight of the Salt of Scotland*, where one Shilling is only Impoſed upon Foreign Salt: We mentioned alſo unuſual Cuſtomes exacted in *Northumberland* and *Cumberland*, which we Conceived might have been very obvious to your Lordſhips. Theſe are the moſt material Obſtructions, and we little expected your Lordſhips could reaſonably apprehend any Heterogeneous Matters from us, being both our Commiſſions are Limited to the Freedom and Liberties of Trade betwixt the two Kingdoms, and to the Impoſition obſtructing the ſame; yet ſeeing your Lordſhips do ſtill Inſiſt, that we ſhould firſt declare more particularly what we have farther to propoſe, and give you a Scheme of the whole in Compliance with this we do repreſent, That we expect your Lordſhips will conſent to the reſtoring his Majeſties Subjects of *Scotland*, to the ſame Freedom of Trade here in *England*, and the Dominions thereunto belonging, which they enjoyed during the happy Reigns of his Majeſties Royal Granfather, and Father of bleſſed Memory: And for that purpoſe, to the repealing all the Clauſes of Acts of Parliament, here in *England*, which obſtruct or deſtroy that Freedom. We have fully expreſt our ſelves as to the firſt and greateſt obſtruction; *The Act of Navigation*; And we now mention further; *The Act for Encouraging of Trade* 15 *Car.*2. Cap.7. And by it the Impoſition on *Scots* Cattle, from the 24*th* of *Auguſt* to the 20*th December*. And what by that Act may be interpreted to concern the Sub-

Subjects of *Scotland* as to their Importation of freſh and ſalted or dryed fiſh; which laſt Clauſe depends in part upon *the Act of Navigation.*

An Additional duty laid on *Scots* Linning Cloath, by the *Act of Tonnage and Poundage*, in the 12*th* Year of his Majeſties Reign, being one full moiety more, than is mentioned in the Book of Rates.

That part of the Act 14 *Car.* 2. Cap. 7. which forbids the carrying Skins or Hides tanned or untanned into *Scotland.*

That part of the Act for preventing Frauds and abuſes in his Majeſties Cuſtoms 14 *Car.* 2. Cap. 11. which obliges all Goods and Wares, that ſhall be brought out or carryed into the Kingdom of *Scotland*, to paſs by or through the Towns of *Barwick* or *Carliſle*, at leaſt we ſhall deſire an explanation of the ſame.

The Impoſition laid upon *Scots* Salt, above ſixteen times more than that upon foreign Salt 14 Car. 2. Cap. 11.

The Impoſition laid upon *Scots* Beer. *viz.* ten ſhillings per Barrel, as if *Scotsmen* were Foreigners 18 *Car.* 2. Cap. 5.

And we further expect, that where Foreigners, or places beyond the Seas are mentioned in any Act, that it be declared, that his Majeſties Subjects of *Scotland*, nor his Kingdom of *Scotland*, are not meant, nor cannot be ſo underſtood to be meant.

As concerning the unuſual Cuſtoms, Impoſed lately in *Northumberland* and *Cumberland*, we mean, that of late there hath been demanded for every Ston'd-horſe, carried into *Scotland*, 3*l.* 6*s.* 8*d.* For every Gelding, One pound: For every Mare 6*l.* 6*s.* 8*d.* For every quarter

of

of wheat carried by Land 5 s. 4 d. of Rye 4 s. of Peaſe 4 s. of Big and Barley. 2 s. 8 d. and of Oats 1 s. 4 d. Upon a pretence of the Acts made in the 13, and 15, Years of his Majeſties Reign. And without any colour of Law, new Impoſts, as we are informed, are laid upon *Northumberland Coals* carried into *Scotland*, and unuſual Cuſtoms upon ordinary Mercate Commodities brought every Mercate day into *Berwick*.

Thus your Lordſhips have now the full Scheme of all that is to be demanded by us in this Treaty. But, becauſe what we have given in relating to the Act of Navigation, was the firſt in time, and is the greateſt obſtruction of our Trade, and indeed without which our Trade cannot be carried on here, we ſtill inſiſt upon an anſwer to it in the firſt place, and then we ſhall willingly proceed to treat on all the reſt in order. And we hope it ſhall appear, we do and ſhall deſire nothing, but the juſt and reaſonable removal of the obſtructions of that freedom of Trade ſo long enjoyed; and the continuing and ſtrengthning the happy Agreement of both the Kingdoms, which is our greateſt deſire, and ſhall be purſued by us moſt heartily and diligently.

A Propo-

A Proposal of several Officers and other Gentlemen of English Extraction in Ireland, *for an Union of that Kingdom with* England.

HIs Majesties good Subjects in *Ireland*, upon the hearing of a Proposal not long since made for the uniting *England* and *Scotland*, with all Obedience and Submission, humbly conceive it a means conducible thereto; If the like Union of *England* and *Ireland* under one Legislative Power assembled in one Parliament, might be resetled *de jure*, in some thing the like manner as it was formerly *de facto*, to the facilitating his Majesties gracious Government of both Kingdoms, dissolving of many intricate difficulties, taking away much of the Root of Difference, and Discord between the now many Parties in his Majesties said Kingdoms, and strengthening his hands against all Opposers both at home and abroad.

The grievances for want of Union.

1. The Judges are not agreed whether Laws made in *England* (since *Poyning's* Law) do bind *Ireland*, though it be named in them; So that imbez'ling, razing, and abusing Records, too often Practised, is not Felony there as in *England*.

2. The Judges also are not agreed how the Acts 17 and 18 *Car.* 1. made in the Parliament of *England* may consist with the Acts of Settlement and Explanation since made in *Ireland*.

3. The

3. The People of *England*, ſent over and living in *Ireland* for his Majeſty's Service, are accounted as Foreigners and Aliens in many things, (*viz.*) That their goods from *Barbado's* muſt firſt come to *England*, that they pay double Cuſtoms here *&c.*

4. The Colonies ſent from *England*, are therefore the more * diſpoſed in a Generation or two to turn *Iriſh*, of whom at this day ⅓ parts are degenerated *Engliſh*, and of the remainder ⅔ are of the *Welch*, and but ⅑ of the old Biſcainers chaſed by the *Goth's*, and Planted there by leave from *England*, and the beſt of theſe, as the *O Brians*, and divers others, are become true *Engliſh*.

* *See Stat. Eliz. For Attainder of* Tyrone, *and* Milton's *Hiſtories.*

5. If *Ireland* continue ſo to drein away men (as between the Years 1649. and 1653. above 50000 Soldiers) both that and *England*, and our Plantations in *America*, may want Men, whenas it may be ſo ordered as to help all the reſt with ſupplies.

6. Thoſe turned *Iriſh* are againſt Improvement, Ornament, the King's Revenue, and Intereſt there, the Advancement of Trade: All theſe are promoted by the *Engliſh Planters*, who on any Commotion, loſe their Improvements and Stock (generally five times more worth than their Lands) their Wives and Children driven into *England* in diſtreſs, moving a general pitty of their Calamity, in indignation againſt their Oppreſſors.

Advantages by the Union.

1. The leſs Army would ſerve (Train'd-Bands might Suffice) the *Engliſh Pale* there being not compleatly four Counties, for many Years kept

it

it ſelf againſt the reſt of *Ireland* without any great charge to *England*.

2. The *Engliſh* upon ſuch Evidence and Ground of Eſtabliſhment and quiet in their Poſſeſſions, a main point, (poſſeſt and diſpoſſeſt, being a great Foundation of differences there) in other things would be more diſpoſed to any reaſonable conformity, which their dependance upon *England* will oblige them to.

3. The *Iriſh*, being put from their hopes of having any more *Iriſh* Parliaments, will be the eaſier diſpoſed to *Engliſh* Habit, Language, Building of Chimney's, and other manner of *Engliſh* Living, according to many of our Statutes, ſtill in force to that End: The want of all which things make the great Conſumption of the *Engliſh* there.

Whilſt this kind of Union held *de facto* in the late times, the *Iriſh* generally went to the *Engliſh* Proteſtant Churches, and did actually conform as aboveſaid.

4. Neither then would the great men of all Parts there, as hitherto, be ſo concern'd to Expel their *Engliſh* Tenants, and take in *Iriſh*, though at leſs rent, partly becauſe they are more abſolutely at their own command, and Slaviſh; partly to keep up the Pretence and neceſſity of a greater Army, wherein their Relations, Servants and Dependants have convenient Entertainments.

5. There is here the greater facility from the General uſe of the ſame Laws in both Kingdoms.

My Lord Lauderdale's *Charge (then Secretary of* Scotland*) againſt the Earl of* Middleton, *Lord Commiſſioner of that Kingdom.*

May it Pleaſe your Majeſty,

ON *Thurſday* the 5*th* of *February*, I did deliver my Opinion to your Majeſty, in preſence of theſe of your Privy-Councel of *Scotland* here, I had your Majeſty's Gracious Allowance to ſpeak freely; what I ſaid was conceived to be a charge againſt the Earl of *Middleton*, and it was deſired that he might have it to anſwer. I then ſaid that what I had ſpoken, was not ſpoke as an Accuſer, but as one who hath the honour to ſerve your Majeſty, as your Secretary for *Scotland*, and as a Privy-Councellor. Yet what I had there ſaid, and in that Capacity, I declared my ſelf very ready to put in writing, and to deliver it to your Majeſty, to be diſpoſed of as in your Royal Wiſdom you ſhould think fit, in purſuance of which I here humbly tender to your Majeſty, the ſubſtance of what I ſaid, and in what may relate to the Earl of *Middleton*; the very Words as near as I am able.

I told you Sir, the occaſion of this Councel is new and very extraordinary; The good old way hath been for Kings to conſider of Acts prepared, before the Royal Aſſent made them Laws, but here your Majeſty is put to an Aftergame. Your Royal Aſſent is given to ſome Acts without your Knowledge, and I doubt it ſhall appear againſt your declared Pleaſure, and now your Majeſty

jeſty comes to the Conſideration of them. And becauſe on this Subject I was to ſpeak with ſome ſeeming diſadvantage, either I might be ſuſpected to reflect on your Parliament, or to talk my own concern; I promiſed to avoid both theſe Rocks; I declared my high reſpects to this your Parliament. I mentioned as well as I was able, the great ſervices they have done you; I named the Acts and made bold to tell you, on that occaſion for your Honour, andthe Honour of this Parliament, that theſe great Acts have been done by the power of your Authority, and by the dutiful affection of this your Parliament. That ſuch is the duty of the much greateſt part of that Kingdom in general, ſuch is the Eminent Loyalty of this Parliament, that no one Man, albeit he had the advantages of great Birth, Power, Allyance, and extraordinary parts, could with any Juſtice arrogate the praiſe of this great work. I appeal'd to your Knowledge of that Kingdom, that whoever had been honoured with the exerciſe of your Authority, ſhould certainly with much eaſe have done the ſame things. Therefore I am far from rubbing inthe leaſt upon the reputation of this Parliament; and as far from being ſwayed by my own concern, which in all humility, I had from the beginning ſubmitted to your Majeſty, and laid my ſelf, my Life and my Honour at your Feet. Then (having obtained your Gracious Permiſſion to ſpeak freely) I promiſed to ſpeak for your Intereſt, for the honour of this Parliament, with the freedom befits my place, and the humble ſubmiſſion to your Pleaſure which becomes me.

I clearly aſſerted your Majeſties undoubted right in the Legiſlative Power, that you alone

have

have the negative Vote your aſſent turn'd the Conſultations of your Parliaments, and your aſſent reduces them into nothing, that this was ever your right inherent to your Crown of *Scotland*, clearly aſſerted by this Parliament, and never parted with by any of your Royal Progenitors (excepting the late Uſurpations in the Rebellion) That your Royal Grand-Father and Father never parted with it, though their Reſidence here barr'd us the happineſs of their preſence? yet they call'd our Parliaments, they kept them by their Commiſſioners, and never till now did Commiſſioner preſume ſo to paſs Acts without their Majeſties approbation: Unleſs they have been ſuch as flowed expreſly from their Inſtructions. Were it otherwiſe ſo Plenipotentiary, a Commiſſioner ſhould excerciſe at his pleaſure the greateſt and moſt eſſential part of Kingly Power. And then your Subjects of *Scotland* ſhould of all others be the moſt miſerable. That your Kingdom of *England* being bleſt by your conſtant Preſence, and *Ireland*, even by *Poyning*'s Law, are ſecure from the danger of ſuch a miſerable condition. Nor hath your Kingdom of *Scotland* any reaſon to complain of your Majeſty, ſuch hath been your Juſtice and Goodneſs, that no Act of yours hath put us into a worſe condition, you gave us not up into the Arbitrary Will of our fellow Subjects. But how your Majeſty and your Parliament have been uſed, is worthy of your conſideration. Then I mentioned your firſt Commiſſion to the Earl of *Middleton* and your ſecond, whereby he is reſtricted to what by the Law and Cuſtom of that Kingdom belongs to Commiſſioners, or which others in that charge did or might have done. This together with his Inſtructions make

up

up the rule of his proceedings; how he kept theſe rules I left to your Majeſty to judge, and I went on in theſe words.

I ſhall not now inſiſt on many Acts of General Concern paſt without your Majeſties Knowledge, though ſome of them were of great Importance to you and your People: A thing contrary to the Duty and Practice of all former Commiſſioners, contrary to Law and right Reaſon, which is the Soul of Law. I ſhall not inſiſt on his conſenting to the putting the Power of a Man's Life into his hand; To the diſpoſing of publick Money; To the Impowering himſelf to name a receiver of the Fines, which belong to your Majeſty; To the leaving it in his power to put your Offices of State to a Teſt in things which do Import the loſing of their Places, or the not putting them to it at his Pleaſure. All which had becom'd him well, in my opinion, to have declared, to be only fit for your Majeſty, and too much to be in the hands of any Subject: nor will I inſiſt on an Act touch't by your Royal Scepter; which takes from your Majeſty the power of Pardoning the Sons of thoſe Forfaulted by this Parliament, yea and declaring your Pardon (if you ſign any) to be Null and Void. Some ſuch thing hath been done in former times, but was in the King's preſence, and by his direction: And well might this Parliament have concluded, that this had at leaſt your Majeſties approbation. It is far from my thoughts to blame the Parliament; but it is ſtrange your Commiſſioner ſhould have made it your Act, without your Knowledge.

Theſe things I mentioned by Tranſition, and haſtened to the work of the day, by comparing

the Act of Fines with your Inſtructions, when your Majeſty ſhall think fit to examine it: and Inſiſting mainly upon your Commiſſioners Carriage in the Act of Billeting, and the conſequences of it, which ſhall appear to have been done not only without precedent, without your Majeſties Knowledge, but, as I conceive, expreſly contrary to your declared Pleaſure, and Inſtructions.

Here I mentioned your Gracious Inſtructions: As to the Act of Pardon and Oblivion I repeated your Limitations as to the Perſons Finable, (which I need not here tranſcribe) And hinted at the Limitations of the Proportions; And told your Majeſty that when you ſhould be pleaſed to take the Liſt of the Fined Perſons into your Conſideration; When you ſhall examine how, and by whom it was managed, I think it will clearly appear, how palpably the Earl of *Middleton* hath broke your Limitations (beſides the underhand dealing of others, for freeing Men full as guilty as many of the eight Hundred and odd contain'd in that Liſt) this I left to Examination, and then came to that which I mainly Inſiſted on, and ſpake as follows.

But this Eminent Clemency of your Majeſty, this truly Royal Virtue, for which all *Europe* admires you; this your Fatherly care in Chaſtiſing with ſo much Mercy: This, Sir, ſuited not with other Mens malice, but a greater Puniſhment muſt be found: You would only have Chaſtiſed with gentle ſtripes, they muſt be allowed to whip with Scorpions; Fines reached only Mens Money, but a puniſhment muſt be invented to Rob Men of their Honour, to lay a laſting Stain on them

them and their poſterity. Now Sir be pleaſed to obſerve how groſly you and your Parliament have been abuſed, and for what I ſhall poſitively affirm, I do appeal to your Royal Self, and many of my Lords here: What I ſhall ſay upon other Evidences more then probable ſhall, I think, be cleared, when your Majeſty ſhall examine the matter to the Bottom; which, I humbly conceive, much concerns your Honour, and the Honour of your Parliament. Be pleaſed, Sir, to remember you expreſly commanded, that the Act of Oblivion ſhould be tranſmitted to your Majeſty, before it paſt. You again called for it, but it was long e'er it was ſent. At laſt Sir *George Mackenzie* of *Tarbet* was ſent up by your Commiſſioner. After a fortnights delay he brought in his power to your Majeſty; and by your Command he delivered them to me, with a general Letter from your Commiſſioner referring to him. Next Day your Majeſty called ſuch of your *Scots* Privy-Councel as were at *Hampton-Court*, and in Councel you Commanded me to give you an account of the Papers I had got. Be pleaſed, Sir, to Remember, I did make bold there to tell you that he had given me firſt one Copy of an Act of Oblivion, and then another different from the former, that one of them behoved to be falſe; and at that rate he might bring in more. He would have ſaid ſomething to have made me believe they were both one, but it proved juſt nothing: for here there was a moſt material difference; The one only excepted in the laſt clauſe, as to Fines. The other excepted from publick Truſt. And as to Fines, ſuch as are expreſt in another Act, Entituled an Act for Fining and Debar-

ring from Publick Truſt. Then he own'd his laſt Copy, and ſaid he would anſwer for it. I objected that by the words it appeared, that all who were to be Fined were to be Incapacitated: *Turbet* anſwered that the Parliament intended only to Incapacitate a ſmall number of the moſt guilty, not exceeding twelve. I opened to your Majeſty how hainous a puniſhment *Incapacitating* was. A Puniſhment worſe than Death, and much beyond what you had allowed by your Majeſty's moſt Gracious Inſtructions. Then was again urged the deſire of your Parliament: And who could doubt it proceeded from your Parliament, when it was ſo boldly averred to your Majeſty in your Council by one Imployed with a Letter of Credit from your Commiſſioner. Thus you conſented upon that Information. And, mark Sir, you did only conſent, not command it, as appears by your letter. Now be Graciouſly pleaſed to obſerve, how firſt You, next your Parliament, and then both you and your Parliament have been abuſed in this particular. This Paper was never ſo much as Communicated to your Parliament, and never was *Incapacitating* mentioned in that Houſe until Sir *George Mackenzie*'s return. A draught of an Act of Oblivion was indeed framed in private by ſome Eminent Lawyers, and other Members of Parliament, but that was the firſt draught, not that ſecond which Sir *George Mackenzie* owned with ſuch Impudence, yet this your conſent ſo obtained reached not their ends who deviſed it. It was indeed colour enough to have ſuggeſted, that it was your pleaſure twelve ſhould be Incapacitated, but it ſeems their deſign reach't others, whoſe places were their

their Crimes, who could not poſſibly by malice it ſelf, nor by the Anthor of malice, be brought within the Limits preſcribed for the ſmaller Puniſhment of Fining. Therefore a new way muſt be invented, and that was *Billeting*, this is a new way indeed, and an effectual one; by Billeting any Man's Honour, his Life, his Poſterity may be deſtroyed without the trouble of calling him, hearing his anſwer, nay without the trouble of accuſing him. Billeting hath the wonderful power to deſtroy any Man, and yet the Collective Body of that Judicature, who uſe it, ſhall never be troubled with his Name till it come to be executed. This is a ſtranger Engine then white Gunpowder, which ſome fancy, for ſure this ſhoots without any noiſe at all. But, bleſſed be God, this dreadful Engine was never known as to puniſhments amongſt any people, Heathen or Chriſtian, who had the bleſſing to live under Monarchy. Some Republicks uſe the Billet or the Ballot in giving Places, but I never ſo much as read of any thing like it as to puniſhment, except the Oſtraciſm among the *Athenians*, who were Governed by that curſed Soveraign Lord the People, and by their Oyſterſhel Billeting. I read of the Baniſhment of *Themiſtocles* after his two famous Victories of *Salamis* and *Thermopylæ*: I read alſo that *Ariſtides* was ſo Billeted (a Man whoſe Eminent Juſtice is turned into a Proverb) yet Billeting was once attempted to have been brought into *Scotland*. It was, Sir, in the year 1641, when your bleſſed Father's Royal Prerogative of naming Officers of State was wreſted from him, and ſubjected to the Approbation of Parliament. Then was Billeting ſtrugled for, but vigorouſly oppoſed by your

Royal Father. And even in that ſaid time, ſuch was the Juſtice and Strength of Reaſon with which he oppoſed it, as it was never heard of in *Scotland*, till now, that Billeting, even in puniſhment, is touched with your Royal Scepter by the Earl of *Middleton*, and ſo endeavoured to be made a Law. Now, Sir, let me humbly beg your patience a little, to open to you, how (as I am informed) this Billeting was brought in at this time: It was not firſt moved in Articles, the moſt uſual place for propoſing Laws. It was firſt moved in the Committee of Fines (as I am told) and by the fitteſt Man to Impoſe on your Parliament this effectual way of it, who had Impoſed Incapacitating it ſelf on your Majeſty, and this was Sir *George Mackenzie*. As ſoon as moved it was oppoſed, and then your Commiſſioner appeared not for it; but when it was better prepared, it is moved in the Articles, and again vigorouſly oppoſed; but then your Commiſſioner appearing for it, it was I think believed he had good warrant for it, and ſo it paſſes. Now in the laſt place I come to the ways of carrying on the Names of thoſe who were to be Billeted. This was done more in the dark, yet I ſhall diſcover what light I have got, but it muſt be with a gentle hand, for, they ſay, I am one of them; and I am apt to believe it, Sir, for to me it is no new thing. Six times I have been excepted, twice for Life and Eſtate, twice for my Eſtate, and twice thus. Yet, I bleſs God, five of the times was during Rebellion, and by Uſurpers, for ſerving your Royal Father, and your ſelf; And this laſt, I hope, ſhall be found to be done, neither by your Majeſty, nor by your Parliament. If by your

your Sacred Majeſty, I lay my ſelf at your feet, your Breath ſhall eaſily deſtroy the work of your Hands, without any ſuch Engine as Billeting. And ſure it is not by your Parliament, for my name was never named by your Parliament, but when they honoured me with an obliging Letter, and when they acknowledged your worthy Choice of me as Secretary, (ſo they are pleaſed to call it, and here I have it ſigned by your Clerk Regiſter as an Act of Parliament) and none can make me believe that this ſo juſt a Parliament, would without accuſation or hearing, ſo ſeverely condemn a poor Man whom they had ſo much honoured; but I am not worthy your Majeſty's trouble. The names Inſerted in the Billets were well known (as I believe) to the Earl of *Middleton* I am Informed the Earl of *Newbrugh* at his Table Read his Liſt, and deſired to make no ſecret of it, as a Noble Lord here will juſtify. I ſhall not now inſiſt on my Informations of diligent Sollicitings, by Men of Quality, and in whoſe names they ſollicited, nor what meetings were kept at *Maſtertones* Tavern, and elſewhere, for carrying that which was called the right Liſt: For it is time to end this too great trouble. If your Majeſty ſhall think the Perſons concerned worth ſo much Conſideration, you will eaſily diſcover every ſtep for compaſſing this Affront put on them in the Face of all *Europe*. And ſuch is the Loyalty of the Members of Parliament, that when your pleaſure ſhall be made known, no one Circumſtance will be concealed from you: how your Honour and the Honour of your Parliament is here ingaged I do humbly leave to your Royal Wiſdom.

☞ This is the Subſtance, and for the moſt part, the very Words that I ſpoke, and which, in Obedience to your Royal Command, is here in all Humility preſented to your Sacred Majeſty by

Sir,

Your Majeſty's moſt Humble, moſt Obedient, and moſt Faithful Subject, and Servant,

Lauderdaill.

The

The Earl of Middleton's *Anſwer.*

May it pleaſe your Majeſty,

I Do with all Gratefulneſs and Humility acknowledge Your Majeſty's Grace and Juſtice, in letting me have a Paper of the Earl of *Lauderdaill*'s, relating to a Speech he had *February* the 5*th* in preſence of your Majeſty, and thoſe of your Privy Council of *Scotland* here. There be many things in that Paper againſt me, and ſome things many times repeated; the moſt of them be mentioned in a tranſient way, (as he ſays) Yet it being much eaſier to Charge than Diſcharge, to Accuſe than Vindicate, I crave your Majeſty's Pardon, if my Anſwers be ſomewhat Longer than his Charge. I ſhall follow the ſame Order that the Earl of *Lauderdaill* has done. His Paper is divided into Six Sections. The firſt of which being only an Introduction, I paſs it over, as having little material in it as to me, and paſs to the ſecond Section which beginneth as follows.

"I told you, Sir, the occaſion of that Council is "new and very Extraordinary. The Good Old "Way hath been for Kings to conſider of Acts "prepared, before the Royal Aſſent made them "Laws; but here your Majeſty is put to an After-"game, your Royal Aſſent is given to ſome Laws "without your Knowledge, and, I doubt, it ſhall "appear, againſt your declared Pleaſure, *&c.*

Sir, I crave leave to differ from the Earl of *Lauderdaill*'s Judgment in this. I conceive the calling of Councels of this nature has been very ordinary: And that Commiſſioners entruſted by his Majeſty, have in this very way given accompts

it to be ſo. In my humble opinion his Inference had been much better to have ſaid, that by virtue of your Majeſty's Abſolute and Soveraign Power, your Majeſty doth give full and unlimited Commiſſions to ſuch as you truſt in that great Charge. But yet not ſo, but they are anſwerable to follow their Inſtructions, and Limitations, and by virtue of theſe Commiſſions your Soveraign Power is exerciſed. Then the Earl of *Lauderdaill* argues againſt the bad Conſequences of it, if it ſhould be otherwiſe. To that I ſhall only ſay, that this had been more ſeaſonably ſpoke before my firſt going for *Scotland*, to the firſt Seſſions of Your Majeſties Parliament. For then your Majeſty was pleaſed by your Gracious Letter to your Parliament to aſſure them, that you would maintain the juſt Liberties of your People, as they enjoyed them under your Royal Predeceſſors: And did Commiſſionate me your Majeſty's Servant, as fully as any Commiſſioner ever was, and to do every thing that ever any Commiſſioner did, or might have done. Your Majeſty's Parliament of *Scotland* looks upon it as an undoubted Privilege of a free Kingdom, either to have their Kings Perſonally preſent at their Parliaments, or in his abſence his Commiſſioner fully Authorized under the Great Seal, to repreſent his Perſon and Authority. And upon this accompt, all Commiſſions are very abſolute. And the Commiſſioners were only limited and directed by their Inſtructions, which were ordinarily known to none but his Majeſty, and the Perſon that received them. Beſides, ſtill as the Acts were paſt I ſent them to your Majeſty, and conſtantly received your Majeſty's returns of your Gracious acceptance. And further, by your

Majeſty's

Majeſty's ſecond Commiſſion, now paſt under your Great Seal, I have a full approbation of my ſervices done you in the firſt Seſſion of your Majeſty's Parliament; and now to be accuſed upon this General, of paſſing Acts without ſending them firſt to your Majeſty, is to me a new and ſtrange thing. In my humble opinion the Earl of *Lauderdaill* argueth more againſt the giving than the Executing of ſuch Commiſſions. Now I come to his fourth Section which begins as followeth.

" I ſhall now inſiſt on many Acts of General " concern, paſt without your Majeſty's knowledge, " though ſome of them were of great Importance " to you and your People; A thing contrary to " the duty and practice of all former Commiſſio- " ners, contrary to Law and right Reaſon, which is " the Soul of Law, *&c.*

I have met with many ſuch Generals, to which, I hope, I have given ſatisfactory returns. All I ſhall add to what I have formerly ſaid, is, that never Commiſſioner had ſuch a charge given him, by one under whoſe hand he lays large approbations for moſt of his Services, for the firſt Seſſion of Parliament in general, and for moſt that paſſed in the ſecond there four Acts excepted. If the Earl of *Lauderdaill* was of this judgment at that time, in my humble opinion he ought to have made it known to your Majeſty, that I might have received your Majeſty's Directions, for my proceeding in this way he now propoſeth. Next the Earl of *Lauderdaill* falls upon particular Acts. The firſt is my conſenting to put the power of a Mans Life in my own hand. What Act this is I cannot tell, nor do I remember there was any ſuch thing done. Yet this is a very

ry ordinary thing in Inferior Judicatories, however I was here only the Conſenter not the Doer. The ſecond particular Act is, an Act for diſpoſing of publick Money. To that I anſwer, there was no new Impoſition lay'd upon the Kingdom, but there being ſome Ceſs I impoſed for carrying on the Engagement in 1648. and upon the hopes thereof, ſundry advancements being made for carrying on that Service, by Perſons well affected thereto, after the diſappointment of that Engagement, they who uſurped the Authority declared all who oppoſed the Engagement free from payment of that Ceſs. And all that is done now, is only the raiſing of that which was diſcharged by theſe Uſurpers, for all honeſt Men had payed their proportions to the full; and the ſumms raiſed were only Imployed, for repayment of ſumms lent for promoting of that Engagement. Beſides there was ſome Ceſs reſting which was Impoſed by your Majeſty and your Parliament when you was in *Scotland*, which was aſſigned to ſeveral who had furniſhed Arms and Ammunition, as to Sir *John Smith*, and others. Diverſe of which have your Majeſty's recommendations to the Committee of Eſtates and firſt Seſſion of Parliament, that effectual payment might be made them of their juſt Debts, which in ſome meaſure is done by raiſing theſe Arrearages without any new Impoſition. Only I muſt confeſs there was 12000 *l.* raiſed for your Majeſty's Lords of Seſſion, and for that I have your Majeſty's Inſtruction. Notwithſtanding of this, I humbly crave liberty to tell your Majeſty, that the Parliament believes it to be their undoubted Privilege to raiſe Money, and in ſome Caſes to Collect and Diſpoſe of it. Now,

I may ſay this Parliament has done no ſuch thing. And if this be a guilt, certainly it is the Parliaments Guilt and not mine. The third particular Act I am charged with, is my conſenting to theImpowering my ſelf to name aReceiver of the Fines. Truly, Sir, as I did never deſire it I did not at all doubt but the Parliament might have done it. I am ſure it is done by Inferior Judicatories every day, who not only Fines, collects Fines, but likewiſe diſpoſes of them. And this is the conſtant Courſe uſed by the Lords of your Majeſty's Privy-Council, in order to all delinquents that come before them. How this is come to be a thing of Courſe I know not: For there be many cuſtomary Laws in *Scotland*, that are neither Statutory nor written Laws, and yet they have the ſame force in determinating Cauſes. And in this likewiſe I am only the Conſenter, not the Doer. The fourth Particular Act is, the leaving of it in his power, to put the Officers of State to a Teſt in things which do Import the loſing of their places, or the not putting them to it at his pleaſure. I know no ſuch Act. It is true there is an Act concerning the Declaration, to be ſigned by all perſons in publick Truſt, wherein it is expreſſed how perſons that are to be admitted to places of Truſt are to ſign the ſaid Declaration, and it is by the Parliament remitted to me, how Perſons that are preſently in truſt, may ſubſcribe the ſame; however I never moved nor intended to move in it without your Majeſty's Commands. And yet things of that nature are ordinarily remitted to the Lords of your Majeſty's Privy-Council, Sheriffs, Magiſtrates of Burghes, and ſometimes to perſons commiſſionate for that effect. I believe this is the Act which the Earl

of

of *Lauderdaill* was pleaſed to call before your Majeſty and the Lords of your Privy-Council, an Act for putting honeſt Men out of their places, even Officers of State. And I am very ſure that the Act is not arbitrary, that I may put them to it, or not put them to it, at my pleaſure, which he is pleaſed to ſay. I hope the Act is ſuch, that your Majeſty will be pleaſed with it and all honeſt Men. The fifth particular Act, is, an Act which, he affirms, takes from your Majeſty, the Power of pardoning the Sons of thoſe Forfaulted by this Parliament: Yea and declaring your Pardon (if you ſign any) to be null and void. Then he tells that ſuch things has been done in former times, but it was when Kings were preſent and by their direction, and that the Parliament might have concluded it to be ſo now *&c.* In the firſt Act I knew no ſuch Act as this deſcribed to the Earl of *Lauderdaill.* There is an Act anent the Children and Poſterity of Traytors, and that extends not to all but to two ſorts of Traytors, *viz.* Thoſe that deſign and attempt violence againſt his Majeſty's Perſon, and to ſuch as riſe in Arms and join in open Rebellion againſt his Majeſty's Perſon, Authority and Government, or any having his Majeſty's Commiſſion. I am very hopeful when your Majeſty has conſidered the Reaſons, Grounds and other Circumſtances, which occaſioned the paſſing of this Act, it will appear more reaſonable, than the Earl of *Lauderdaill* would have it to be. In the firſt place it extends not only to Perſons Forfaulted in this Parliament, and to their Children, but likewiſe to all who ſhall happen to be ſo deſperate hereafter, to attempt the like things, and to their poſterity, for none knows what his poſterity may be. And in my humble

humble opinion the Parliament did in this Act expreſs as much Affection and Duty to your Majeſty, as in any other Act done by them. I ſhall begin with the Reaſons that occaſioned the paſſing of this Act. The firſt was from the Common and Civil Law, wherein ſevere Statutes were made by the two moſt excellent Chriſtian Emperors *Arcadius* and *Honorius*, conform to which it was alledged, that it was the conſtant Practice of *Scotland*, and that in *Anno* 1540. in King *James* the *5th*'s time, it was Statute that the Children of Traytors ſhould ſuffer for the Fathers Crime, and that the King may judge in ſuch a caſe according to the Common Law, albeit there were no ſpecial Statute made thereanent. That this has been the conſtant Practice of the Kings of *Scotland* appears by the Forfaulture of thoſe who killed the two Regents. *James* the *6th*, Parl. *5th* in the Forfaulture of the Earl of *Gowrie* 1600. of *Bothwell* 1600. of *Maxwell* 1609. *Reſtairig* 1609. yea the Children of all theſe Perſons were, by diſtinct Acts, declared incapable of favour. And in the very words of this Act it was preſt upon good reaſon, that if ever any ſuch Act or Practice was convenient, it was now moſt neceſſary when extraordinary Treaſon was not only ordinarily perpetrated, but avowedly maintained as Duty. And when ſo much bad example was given to poſterity it was but proportionable, that a puniſhment, as extenſive as the Crime, ſhould be denounced, to terrify ill Men from the fury of ſuch atrocious Crimes; beſides it was preſt, that there being a Principle received by this Generation, of a Bond or Covenant, by which they believe themſelves to be bound, and their Poſterity for ever, with an Indiſpenſible Oath

to take up Arms againſt Authority, when to their apprehenſion either Religion or Liberty is in danger, and ſo in Juſtice a Puniſhment reaching as far as the execrable Obligations, was judged neceſſary. But the force of all lieth againſt the Clauſe of Nullity, as if it were a Limitation to your Majeſty's Prerogative Royal. I have already ſpoken of Precedents of this nature, your Royal Predeceſſors being preſent. I ſhall now further add, that this Act is rather an Extenſion than Limitation to your Prerogative Royal. For Subjects are ſo naturally tied by their private Deeds and Obligations, that albeit general Laws hold forth advantages to them, yet their own private Deeds are ſtronger upon them, than any benefit they can claim from a Law. Nor can a Law ſo provide, but a Subject may by private Factions prejudge himſelf of the benefit of the Law. But the Kings who is above, and ſo exempted from the Coactive Bonds of Law, is in this and the like Clauſes, above and exempted from the Coactive obligation of private Deeds. The King of *Scotland* cannot lawfully alienate the Patrimony of the Crown; not that he wants Dominion or Power over his Goods, but becauſe his Power is ſo Tranſcendent, that he ſets his Property above the poſſibility of legal Alienation. And this has ever been practiſed by your Majeſty's Royal Predeceſſors, Kings of *Scotland*. King *James* 2*d* Parl. 11. Cap. 41. Statutes, that albeit our Soveraign, who now is, or any of his Succeſſors, ſhall alienize or Diſpone Lands or Caſtles annexed to the Crown, that Diſpoſition or Alienation ſhall be of no avail. King *James* 3*d* Parl. 9. Cap. 17. and Parl. 15. Cap. 112. Statutes, that any Diſpoſitions to be made by him or any of his Succeſſors of the Earl-

doms

doms of *Roſs*, or *Merch*, ſhall be unlawful and of no effect to any receiver, except the Kings Son. King *James* the *4th* Parl. *1ſt* Cap. *5th* and Parl. *2d* Cap. *10th* annulls all his Fathers and his own Deeds and Diſpoſitions. King *James* the *5th* Parl. 5 Cap. 84. Statutes, that if it ſhall happen the King or his Succeſſors to alienate Lands, Caſtles, Patronages, *&c.* annexed in that Act, ſuch Diſpoſitions ſhall be of no avail; but notwithſtanding thereof it ſhall be lawful to the ſame King or his Succeſſors, to poſſeſs theſe Lands without any ſentence or proceſs of Law. King *James* the *6th* Parl. 15. Cap. 234, and 235. In both theſe Acts, Diſpoſitions made by the King are Null of the Law, by way of Action or Exception; and from theſe Acts floweth that which is reputed the great and Royal Prerogative, the Revocation of our Kings, of all Deeds done by their Predeceſſors in prejudice of the Crown. This Act of nullity, hindreth not your Majeſty from giving away the Lands of Forfaulted Perſons, but only puts your Majeſty in a Capacity to poſſeſs the ſame again if you pleaſe. If not, your Succeſſors may do it, for in all Sentences of Forfaulture, the Lands of the Forfaulted Perſons are annexed to the Crown, to remain for ever. Your Majeſty may, by your Royal Prerogative, reſtore the Son of the Forfaulted Perſon to the enjoyment of his Father's Lands. But without an Act of Diſſolution by your Parliament, your Majeſty or your Succeſſors may repoſſeſs your ſelf with theſe Lands at pleaſure. So the nullity in this Act ſerves for two excellent Ends; for if your Majeſty reſtore the Children of Forfaulted Perſons, it ties them to good behaviour, it being ſtill in your Majeſties power to put them out of their

Poſſeſſions, And the ſecond is to terrify deſperate Perſons, from attempting to commit ſuch horrid Crimes. By the many Precedents and Acts Cited by me in defence of this Act, I did believe it to be an Act of Courſe. Yet ſo tender was I of your Majeſty's Prerogative Royal, That I did in face of Parliament deſire the Clerk of your Majeſties Regiſter, neither to Print it nor Publiſh it, till your Majeſty's Pleaſure ſhould be known theranent. So it is ſtill at your Majeſty's diſpoſal. Now being come to the firſt Section which begins as follows.

" Theſe things I mentioned by Tranſition, and " haſtened to the work of the day, *&c.*

Tho' theſe things have been lightly paſt away by the Earl of *Lauderdail*, yet they have been heavy enough upon me, and I have had work enough before he comes to that which he calls the work of the Day. He falls again fiercely upon my having gone contrary to your Majeſty's Inſtructions, and declared Pleaſure. And further that I had broken your Majeſty's Limitations in order to the Perſons fined; beſides the underhand Dealing of others for freeing Men, alſo fully guilty, as many of the Eight Hundred and odd continued in the Liſt of Fines. To the firſt, that I have gone againſt your Majeſty's declared Pleaſure, and Inſtructions. This I underſtood not, nor can I conceive wherein the fault lyeth. If he meaneth by the Act of Billeting, I am ſure there is not any Inſtruction againſt it, nor was there ever any diſcourſe of it, nor was it ever deſigned by me. As for my carriage in it, farther than permitting it to be made uſe of at that time in order to the Paſſing of another Act, concerning perſons to be excepted from Publick

Truſt,

Truſt, I appeal to the Parliament; for neither in that nor in any other thing elſe, did I ever ſecure any Member of Parliament, neither did I ever Gabal with any Party or Perſons for carrying on of Buſineſs, and it may be this was the greateſt Grievance was aſſerted againſt me, ſo that ſome of my Friends did very often tell me of it. But I told them that the open and plain Way was both the beſt and trueſt. Never Parliament had leſs of this kind of Dealing than this had. Parties and Factions have been much kept up in *Scotland*, by that way chiefly in the time of the late Rebellion, which made me both Diſown and ſhun it. Then I am Charged as having palpably broken my Limitations. I did openly Declare and Read your Majeſty's Limitations to your Parliament, upon which a Committee was Choſen, of Perſons well known in the ſeveral Quarters of the Kingdom, with whom were joined your Miniſters of State, and an Oath of Secrecy and Fidelity was Exhibited to them: And ſo they proceeded to the Diſcharge of that Truſt. And the only Rule and Square of their proceedings, was your Majeſty's Limitations. That this can rationably be objected againſt me, that Perſons Nocent eſcaped and Innocent fined, is very ſevere. Neither was it in my Power, nor in the Power of any one Man to know all the Perſons of the Kingdom. I did my Duty in ſhewing your Majeſty's Pleaſure and giving the Limitations in Writing. Beſides, after the Liſt was compleated, and brought in by the Committee to the Houſe, I did declare in Face of Parliament, that if any Perſon Innocent fell not within the Compaſs of your Majeſty's Limitations, and ſuffered through Ignorance, or

otherwiſe, he might have a free and full hearing, at the next Seſſions of Parliament without incurring any hazard by the Certification contained in the Act of Fines. That Guilty Perſons were made free by underhand Dealing, I know not. The beſt way, in my humble opinion is, that your Majeſty would be pleaſed to appoint ſome Perſons to try the Truth of it. Now the Earl of *Lauderdail* comes to his laſt Section, which begins as followeth.

" But this Eminent Clemency of your Majeſty, " this truly Royal Virtue for which all *Europe* " admires you, this your Fatherly Care in " Chaſtiſing with ſo much Mercy: This purſuted " not with other Mens Malice, ſo a greater Puniſh- " ment muſt be found; you would only have Chaſ- " tiſed with gentle ſtripes they muſt be allowed to " whip with Scorpions; Fines, only reached Mens " Money, but a Puniſhment muſt be found to Rob " Men of their Honour, to lay a Laſting Stain on " them and their Poſterity, *&c.*

To this I crave your Majeſty's leave to ſay, that not only I, but all your other Subjects of *Scotland*, have more than reaſon to bleſs God for your Clemency. For there be very few that were of Age, during the time of the late Rebellion, but have more or leſs taſted of it; I am ſure I have in a very large Meaſure. But to deſire ſome mark of your Majeſty's Diſpleaſure to be put upon Men that have been Ill, continue Ill, and own their Iniquity to this Day, deſerveth not ſo hard Characters. Your Majeſty was pleaſed to grant the Deſire, for excepting Perſons from Truſt in preſence of your *Scots* Council, ſo it might have been expected upon that accompt, that the deſign in general might have been uſed

with

with more Civility. If I had but time to tell what moſt of thoſe Men have done by Murdering, Sequeſtrating, Fining, Forfaulting and Impriſoning many of your beſt Subjects; beſides their Invading and Uſurping the Prerogatives of the Crown; they ſtill owning their Horrid and Deſtructive Principles to this Day, it would be thought ſtrange any Man could be found to ſpeak for them. Whatever become, I pray God keep your Majeſty from ever Truſting Impenitent Rebels. Then the Earl of *Lauderdail*, is pleaſed to give your Majeſty an Account of Sir *George Mackenzie*'s coming to *Hampton-Court*, and of his Delay in giving in his Papers, and of his giving in two ſeveral Acts of Indemnity. And farther deſires your Majeſty to mark, that your Letter was only a Conſent, not a Command, for excepting Perſons from Publick Truſt. And, upon the whole, the Earl of *Lauderdail* concludes, that both your Majeſty and your Parliament have been abuſed. Further he aſſerts, that either the Acts of Indemnity, nor that Clauſe for excepting Perſons from Publick Truſt, was ever ſeen, or known to the Parliament, before Sir *George Mackenzie*'s return to *Scotland*. I do not deny but I ſent Sir *George Mackenzie* to your Majeſty, with a Letter of Truſt, and by him ſent the Act of Indemnity. And further Inſtructed him, that it was the Parliaments deſire, (as ſuch he likewiſe very well knew) that ſome Perſons might be Excepted from Publick Truſt. And what I ſaid was upon very good Grounds; for the moſt Part of all the Members of Parliament had very often ſpoke to me about it, and indeed they were in a very high diſcontent to ſee Perſons ſo Emi-

rently guilty, for owning their cauſe, conſtantly oppoſing all the good Acts that were Paſt in Parliament. So upon the conſtant Importunity of Honeſt and Faithful Men to your Majeſty's Service in the Parliament, and, upon the conſideration, that the late Rebellion, was principally Fomented, carried on, and kept up by the Unfaithfulneſs of ſuch Perſons, as were entruſted by his late Majeſty of ever Glorious Memory in the Adminiſtration of his Government, I thought it my Duty to ſignify ſo much to your Majeſty. That the Parliament, ſhould have ſeen the Act of Indemnity before it was ſent to your Majeſty, was neither neceſſary nor Congruous, it being an Act of Grace from your Majeſty, in which many of the Parliament were concerned, which your Majeſty might have Extended or Limited at your pleaſure. This was the Practice of the late Times during the Rebellion. The Parliament, 1641. framed their own act of Indemnity; and not only ſo but likewiſe impoſed upon his late Majeſty, of Glorious Memory, the following Declaration, which was Publiſhed and Printed: And ſo, before the Act Reciſſory was paſt in the Firſt Seſſion of this your Majeſty's Parliament, continued to have the force of a Law.

"I take in good part the reſpect and thankfulneſs "of this Parliament, in remitting to me theſe who "were Cited, as Incendiaries and others according "to their Declarations do declare, that I will not "Imploy any of theſe Perſons, in Offices or Places "of Court or State without conſent of Parliament, "nor grant them Acceſs to my Perſon, whereby "they may Interrupt or diſturb the firm Peace

"which

" which is now ſo happily concluded. The Per-
" ſon's excepted by this Declaration were,

John Earl of *Frequair*, Theſaurer and late Commiſſioner.
James Marqueſs of *Montroſs*.
John Biſhop of *Roſs*.
Archibald Lord *Neaper*.
Sir *Robert Spotſwood*, Preſident of the Seſſion.
Sir *John Hay*, Lord Regiſter.
Sir *George Stirling*, Knight.
Sir *Archibald Steward*, Knight.
Doctor *Bancanquel*, Dean of *Durham*.

Upon this very attempt it was that your Majeſty's Act of Grace and Indemnity, was never ſeen by the Parliament, till your Majeſty had firſt ſeen the draught and peruſed it. I therefore did intruſt Sir *George Mackenzy* with two draughts of an Act of Indemnity, which differed in nothing, ſave in that concerning Perſons to be excepted: And he was to have Preſented either the one or the other, according as your Majeſty ſhould Reliſh or not Reliſh the deſire for excepting Perſons from Publick Truſt. And for that which the Earl of *Lauderdail* is pleaſed to ſay, that your Majeſty did only Conſent and not Command, as appears by your Letter, I ſhall give no Anſwer; only that I made no other uſe of your Majeſty's Letter, but in preſenting it to the Parliament, which was thrice Read over and well underſtood. And becauſe hard conſtructions are put upon this, as if at that time I had deſigned Billeting, and intended to prejudg the Earl of *Lauderdail*, I take God to be my witneſs, that Billeting had never entered my thoughts, and that I had not the leaſt thing of Deſign a-

gainſt

gainſt the Earl of *Lauderdail*. Then the Earl of *Lauderdail* falls fiercely upon Billeting, and the ways of carrying it on, to which I will anſwer nothing as knowing nothing of them. For as I ſaid formerly, I did nothing directly nor indirectly, concerning it, but by conſenting to the doing of it. He is further Pleaſed to ſay, that the Names which were in the Billets were well known to me, and that he was informed that my Lord *Newburgh* did read his Liſt, and deſired to make no ſecret of it at my Table. This I hope my Lord *Newburgh* has cleared himſelf of, before your Majeſty and your Council. I am ſure he never read any liſt to me, neither did he Communicate any liſt with me. And I do ingenuouſly Profeſs to your Majeſty, that I knew not the names contained in the Billets, being in all Fifty Four Perſons named, which is well known to thoſe that Collationed the Billets, where I was Preſent, till which time I knew not who were excepted, or who not excepted. Now I ſhall humbly crave your Majeſty's liberty, to give you a full accompt of the Truth of the Buſineſs. Your Majeſty having entruſted your Parliament, with the Nomination of theſe Perſons who were to be Excepted from Publick Truſt, the Parliament reſolved to Diſcharge this Truſt according to their Conſciences, in a full compliance with your Majeſty's Gracious Inclination, to have all Animoſities removed among your Subjects. Upon this accompt it was, that ſince a Publick nomination of Perſons, would certainly have occaſioned great Prejudices betwixt the Perſons nominating, and the Perſons nominated; It was conceived fitting in this Extraordinary occaſion, that the nomination ſhould be by Billets,

wherein

wherein every Man had his freedom, without fear or hazard, to Vote according to his Conſcience, without Prejudice from the Perſons nominated. It being firſt expreſly provided in one Act, Publickly and Unanimouſly Aſſented to in Parliament, that every one ſhould give in his Billet according to his Conſcience, and that ſome few Perſons ſhould be appointed to collate the Billets, that the Perſons excepted from Publick Truſt might be found out. The Perſons appointed for this Service had one Oath given them to be Faithfull, and ſecret in open Parliament. The Twelve excepted Perſons being known to the Perſons entruſted, it was ordered by the Houſe, that all the Billets ſhould be Burnt in their preſence: That the Clark of Regiſter ſhould inſert the names in the Act Named, *An Act concerning Perſons Excepted from Publick Truſt*. And the Lord Chancellor as Preſident of the Parliament, was appointed to ſign it, both of them being under obligation of Secrecy. Thereafter it was delivered to me to be ſeal'd and ſent to your Majeſty, to be made uſe of according to your Pleaſure; and this was the true way of carrying on of that Buſineſs. Of any other indirect ways I know not, and by this way your Majeſty may make uſe of your negative Vote, by reducing this Law to nothing, there being nothing of it left upon Record. Now be pleaſed, Sir, to mark the force of all the Earl of *Lauderdail*'s Arguments againſt me, lyeth in that Poſition of his, that never Commiſioner paſt Acts in Parliament, without ſending them firſt to the King. The which I abſolutely deny; and if your Majeſty reſt not ſatiſfied with what I have ſaid againſt it, it being a matter of Fact, your Majeſty may

eaſily

eaſily learn the Truth of it; from the Lords of your Majeſty's Privy-Council in *Scotland*, or the Lords of your Seſſion.

May it Pleaſe your Majeſty,

Having with great Ingenuity made theſe returns to the Earl of *Lauderdail*'s Paper, I humbly lay them with my Life and Honour at your feet, and do deſire to live no longer than I have the Eſteem of being,

Sir,

Your Majeſty's moſt Faithful, moſt Humble, and moſt Obedient Subject, and Servant.

The King's Propriety in the Sea, Lands and Salt-ſhoars.

Written in the Reign of Queen Elizabeth.

Arguments proving the King's Majeſties Propriety in the Sea-lands and Salt-ſhoars thereof; And that no Subject can lawfully hold any part thereof but by the King's Grant.

THE Prerogative of Princes is ſuch, eſpecially in this our native ſoil, that thoſe things, which by the Law of Nature were left in Common, are by the Laws of *England*, to the Prince proper and Peculiar, as Wrecks of the Sea, Treaſure Trone, Wafes, and Strays, and ſuch like things, whereunto no Subjects can juſtly make Property. And ſo large is the Scope of Princely Privileges. But infinite Caſes may ariſe, which are not mentioned in the old Books of Prerogative Royal; and yet are thereunto of duty appertaining, as appeareth in the Caſe of Mines between the Queens Majeſty and the Earl of *Northumberland*, decided in the Chequer-Chamber, where not only the Caſe then in queſtion, but many other were alledged, duly appertaining to the King by Prerogative, and yet never mentioned in any Books of Prerogative, for our Laws, being grounded upon the depth of Reaſon,

Salt-Shoars the King's.

Comment. fol. 334. b.

Reaſon, do always reaſonably attribute the worthieſt of things to the moſt excellent Perſonages; as in Minerals Gold and Silver are accounted Mines Royal; the reſt being of baſer ſort are left to the Subject, unleſs ſuch baſer Mines happen to be confuſed with the Mines Royal, for then both grow due to the Prince by his Prerogative.

In like ſort Reaſon teacheth, that as the Sea of all Waters is the chief, and, as *Solomon* ſaith, the Fountain from whence all Waters take their Original, ſo the Propriety thereof ought unto the chief King himſelf to be attributed, for that no Subject can have Property therein.

And this the *Civil* Laws plainly affirm, making a moſt manifeſt Diſtinction between the freſh Rivers and the Sea: and the Shoars of the one are called *Littus*, and the other named *Ripa*; whereupon I will firſt treat, and then proceed to every Particular Queſtion, that may in this Caſe be moved.

Of Iſlands ariſing in the Sea, and of the Salt-Waters compared with the Freſh.

Of Iſlands ariſing in the Sea, and the difference between the Salt-Shoar and the Freſh.

The Civil Law, ſaith thus, *viz.*

Inſtit. l. 2. de rerum diviſione. *Inſula, quæ in Mari nata eſt, quod raro accidit, occupantis fit, nullius eſſe creditur; at quæ in fluminе nata eſt, quod frequenter accidit, ſiquidem mediam partem fluminis tenet, communis eſt eorum qui ab utraq; parte fluminis prope ripam perdiu poſſident, pro modo latitudinis cujuſcunq; fundi, quæ latitudo prope ripam ſit; quod ſi alteri parti proximior ſit eorum eſt tantum, quia ab ea parte Prope ripam perdiu poſſident.*

Thus

That the Civil Law maketh manifeſt difference between Iſlands ariſing in the Sea, and the Rivers going on the Borders the other *Occupanti*, which *Bracton* alſo in his Chapter of Purchaſe expreſly confirmeth. *Bracton Chap. de purchace.*

Bracton alſo in his Book *de legibus & conſuetud. Angl.* in the ſecond Chapter of it intituled, *de acquirendo rerum dominio*, affirmeth the very ſame. But explaining the ſence thereof in more plain words where he ſpeaketh of thoſe Iſlands that are thus given *Occupanti*, he joineth theſe words, *ut per conſequens Regi propter ſuum Privilegium.* *Chap. 2. l. 2. de acquirend. rerum dominio.*

Again, the Civil Laws, where they compare the Salt-Shoar, which they call *Littus*, with the freſh which they call *Ripa*, they have theſe ſentences enſuing. *Inſtit. de acquirend. rerum dominio.*

Littus & Ripa quoad uſum non differunt.
Littus & Ripa quoad proprietatem differunt. *Inſtit. de rerum diviſione.*

And touching the Salt-Shoar, who ſhould have intereſt therein, there are in the Civil Law theſe words expreſſed.

Littorum quoq; uſus publicus eſt, quemadmodum & Riparum, & proprietas eorum poteſt intelligi nullius eſſe, ſed ejuſdem juris, mare ac & quæ ſubjacet mari, terra vel arena.

Hereby it plainly appeareth that no Borderer, or Lord of Soyl adjoining, may claim any intereſt in the Salt-Shoar as they may in the freſh, conſidering that although in the uſe they are publick, and therein agree, yet as touching the Propriety they are repugnant: and therefore it may neceſſarily be inferred, that the Prince only hath Propriety in them; for it is a ſure Max- *Bracton's Chapter of Purchace.*

im

ſm in the Common Law, that whatſoever Land there is within the Kings Dominions, whereunto no Man can juſtly make Propriety, it is the Kings by his Prerogative, as the ſame may manifeſtly thus be proved.

The Civil Laws, whoſe aſſertion in this is not to be diſallowed, conſidering many Examples in the Common-Law, confirm the ſame.

The proof of Bracton of Purchaſe.

I affirm Iſlands ariſing in the Sea, or Ground or Sand, covered with the Sea, to be of the ſame nature, right and intereſt, that the Salt-Shoar is: but Iſlands ariſing in the Sea being flatly proved before by *Bracton*'s own Words to be the Princes: I affirm and conclude neceſſarily, that the Salt-Shoar is the Princes alſo *quoad proprietatem*; for *quoad uſum* it is public *jure gentium*.

Bracton cap. 2. & 2. lib. de acquirendo rer. dominio.

Perchance it may be doubted, what the Salt-Shoar, called *Littus* of Civilians, is, and how far it extendeth: whereunto I anſwer, ſeeing there is no certain Definition thereof in our Law, we muſt accept that Definition thereof which univerſally, throughout the World is allowed, which enſueth,

Littus quid.

Eſt autem Littus Maris quatenus hiemis fluctus maximus excurrit.

Where it appeareth that the Salt-Shoar, and ſo conſequently the Princes Sea-Land, reacheth as far as any Winter flood runneth, by the rigour of Law, but for the mitigation thereof *Bracton* hath theſe words enſuing.

Bracton ca. 2. de acquirendo rer. dominio.

Ubi autem flumen alveum ſibi non conſtituit in agrum meum, ſed illum inundaverit, non mutatur ſpecies quantum ad proprietatem; ſed ubi flumen abſtulit mihi prædium meum, per alvei conſtitutionem, deinde redit ad antiquum alveum, de jure ſtricto in agro quondam meo nihil poſſum mihi vendicare, flumen

Item autem alveum ſibi conſtituendo agrum privatum facit publicum.

Hereby it is inferred likewiſe in the Seas, that inundation by rage of Flood taketh not away property from him that juſtly had it before, unleſs it have poſſeſſion thereof, and make its ſetling thereon in ſuch ſort that the bounds and limits be defaced; and ſo it appeareth, that the Sea ſurrounding any Mans Inheritance, and defacing the bounds by long continuance, giveth the propriety thereof to the Prince, which is alſo evidently collected by the 93 Caſe decided in the Book of Aſſiſe *Anno* 22 *Ed.* 3. where it is declared, that Inundation only by an Arm of the Sea may take away a Mans propriety in his Land. *Aſſiſe* 22. *Ed.* 3. 93.

But thereupon ariſeth another queſtion, whether Preſcription may not ſerve my turn to prove my propriety in the Salt-Shoars? Whereunto I anſwer no, and prove it thus; *Preſcription.*

The propriety that the King hath in theſe Salt-Shoars, is *ratione Privilegii*, and of the nature and effect of theſe Privileges *Bracton* hath theſe Sentences following.

Ea vero quæ dicuntur Privilegia, licet pertineant ad Coronam, tamen à Corona ſeparari poſſunt, ſed de gratia ipſius Regis ſpeciali; cujus gratia & conceſſio ſpecialis ſi non intervenerint, tempus à tali petitione Regem non excludit; nullum enim tempus currit donationi Regis, contra eum in hoc caſu, cum probatione non egeat: conſtare enim debet omnibus quod hujuſmodi pertinent ad Coronam niſi ſit aliquis qui docere poſſet ex ſpeciali gratia habitâ contrarium. *Bracton l. 2. de acquirendo rerum dominio.* *Stanf. de Prerogativâ Regis.*

Alſo in another place treating of Privileges.

In hoc caſu ſe defendere nemo poteſt quamvis per ſe ſerat ſeyſinam longi temporis, non minuit injuriam

imo auget; in aliis vero ſi probatio neceſſaria fuerit currit tempus contra Regem, ſicut contra quoſq; alios.

When Preſidents in our Law fail, *Bracton* hath a very wiſe Sentence how we ought to proceed.

Bracton l. 1. de acquirendo rerum dominio.

Si aliqua nova & inſueta ſubinde oriantur & quæ prius uſitata non fuerint in Regno; ſi tamen ſimilia evenerint, per ſimilia indicentur, cum bona ſit occaſio à ſimilibus procedere ad ſimilia.

It appeareth manifeſtly, that the Prince hath a greater property in the grounds of his Ports and Harbours, than any Borderer or Lord of the ſoil, adjoining to any freſh River, hath in the Banks of the ſaid River; For notwithſtanding his Property, every Man may ty Boats, faſten Anchors, and caſt Nets upon his Banks; but no Man can let fall an Anchor upon the Kings ground in any Port without leave, and paying therefore to the Kings Officers for that purpoſe by Patent appointed.

Anchorage paid in all Ports.

Bracton l. 4. ca. 2. de acquirendo rerum dominio.

Again it is againſt all Reaſon to admit the King a Property in Wrecks, which both *jure naturali, gentium, & civili* are given *Occupanti*, and to deny his intereſt in Iſlands, Shelves, and Salt-Shoars, which by the ſame Laws, are attributed *Occupanti*: 'Tis a known Maxim *de ſimilibus idem ſit judicium.*

If Occupation or Finding might have Privilege in any thing, it ſhould be in ſuch as are moveable rather than thoſe that are fixed and conſtant; as we may behold in Fiſhes and Fowls, where our Law, by Permiſſion of the Prince, alloweth the Property *Occupanti*, as the natural and Civil Laws do.

But in Wrecks, which are not living things, but of a more fixed and more permanent Nature, ſeeing our Law will not permit the Poſſeſſion

or

of Occupation any Property, much leſs in Land a thing moſt fixed and permanent it ought to purchaſe Property. And therefore it is an Argument *minoris ad majus*, That ſeeing Wreeks are allowed to our Prince by the Common Law, much more ought the ſhoars themſelves, *&c.* And with this agree the Preſidents of former PrincesGrants, where they have given Manours with the Appurtenances, and then annexed the words, *& totum Littus uſq; ad medium aquæ.* Now theſePreſidents may be taken in theRecords of ſundry Princes in divers places ſince the Conqueſt, and herewith accordeth the Cuſtom and uſage of the Land that Strangers pay unto the Prince Anchorage for his Breaking of ground. *Old Preſidents.*

But if any Man doubts of the Princes intereſt in the Sea, let him conſider the Statute of 18 *Ed.* 3. Where he licenſeth the Sea free and open to all Merchants to Traffick. 18 *Ed.* 3.

It may be perhaps alledged, that a great number of this Realm have part of the Salt-Shoar, and think that they have as good Propriety in it as any of their Lands or Hereditaments.

I anſwer, true it is, a great number of this Realm poſſeſs part thereof, and hold it juſtly, for they have it by Patent from the Prince; as they haveWrecks that fall againſt theirLordſhips alſo; but whoſoever holdeth otherwiſe then by thePrinces grant, he plainly intrudes; and in this Caſe *Publicus error non facit legem*, no continuance of time, nor preſcription can ſerve his turn; as it is before proved by *Britton*, and *Bracton*'s own words, *de Privilegiis*, which is alſo alledged as Law by Mr. *Stanford* in his Book of the Princes Prerogative. *Stanf. Prerogat. cap.*

Thus it manifeſtly appeareth, that in the Salt-

Shoar, much leſs then in Wrecks caſt upon the Salt-Shoar, a Man may not preſcribe; and this is the cauſe why Wrecks by our Laws are adjudged to the King, which by the Laws Civil were given *occupanti*, for that by the Law Civil they ſtand in one Predicament, I mean the Salt-Shoar and Wrecks; by conſequence then of reaſon, it may follow that by our Law being in one Predicament alſo, they are therefore both the Kings.

Thus the premiſes well weighed and conſidered I may neceſſarily conclude, that as in Rivers, or freſh Water-Shoars, or Banks, called *Ripæ*, the Lord of the Soyl adjoining holds a property; ſo in the great Salt-River, I mean the Sea, invironing the whole Iſland, and the Salt-Shoars thereof, the great and chief Lord of the whole Soil, the King, I mean himſelf only, muſt have Property and Intereſt; and no Man elſe, neither by Preſcription, nor any other manner of way, ſave only by the Kings ſpecial Grant, may claim Property to them. As concerning the uſe both of the Freſh and Salt-Shoars; they are Lands that muſt be publick *jure gentium*: but ſo ſoon as either by withdrawing of Waters from them, or any other accident, they come to leave the name of Shoars, the uſe of them becometh private; The freſh-Shoars return to the Lord of the Soil adjoining; the Salt-Shoar to the general Lord of all: And as the Trees that grow on the Banks of the River be private to the Lord of the Soil adjoining, although the uſe of thoſe Banks be common, ſo the Commodity of Graſing, or whatſoever Fruit elſe the Salt-Shoars yield, ought to be private to the Kings uſe, although the uſe of them in reſpect of drying Nets, tying Boats, *&c.* be publick.

rliles
ſe,

So that not only the Sea from the low Water Mark,

Mark, but alſo upwards to the full Sea, ſo far as naturally by ordinary Courſe every Month, without Rage of Wind of Weather, or any other rare accident, ſo far, I ſay, as the Sea hath by ſuch its natural Courſe flowed, ſo far extendeth the Princes Land; which if it be at any time amplified and increaſed by the withdrawing of the Sea, the Prince is to receive the benefit thereof, and the Subject that entereth thereupon intrudeth, and in this Caſe no preſcription can ſerve his turn, becauſe the Prince is intituled thereunto by the Prerogative of his Crown.

The 39 Caſe in the 22 Year of the Book of Aſſizes plainly proveth, that if the Sea, by little and little frett away any Mans Ground, and win upon his Land by ſlow increaſe, and proceſs of time, that the owner looſeth his Property and Intereſt therein; for it is there Concluded, that as any freſh River, in which any private Perſon hath Property, may in that ſort gain ſoyl to its Lord: much more ought the Kings River, the Sea, or Armes thereof to purchaſe ſoil to its Lord by ſome kind of Alluvion; as this moſt plainly appears by the proceſs of the ſame Caſe, when coming to ſubit increaſe, which may be properly termed inundation, or violent overflowing, It was reſolutely adjudged that no private Perſons River by ſuch inundation or violent overflowing can win or gain its Lord another Mans ſoil, but of the Sea or any Arm thereof, the Judges leave it doubtful. Perhaps in reſpect of the dignity and preheminence that the Sea hath above other private Waters, or for that the King, whoſe Water it is, ought in all Caſes to have a Prerogative before any Subject or private Perſon. Aſſiz. 22.

It would be therefore extream injury to bar the King's Stream that right of gaining ſoil by ſlow increaſe, called *Alluvio*, which the Laws have adjudged due to the ſtream of the private Subject.

Inſt. l. 2. de rerum diviſione.

It might to ſome perchance ſeem an error in our Law, or an abuſe, that contrary to the Laws both Natural and Civil, we ſhould debar the Finder and firſt Poſſeſſor his Property in Wrecks, Treaſure, Trove, Iſlands riſing in the Sea, and ſuch like Common things, which by the Laws Natural and Civil are given *occupanti*, that is to ſay, the firſt Poſſeſſor, as *Britton* tranſlateth the ſame.

Bracton 2. lib. occupanti & per conſequent. Regi prout ſuum Privilegium.

But if this be duly weighed and conſidered, our Law ſhall be found no way repugnant to the *Jus Naturale*, the *Jus Gentium*, or *Civile*, for that we attribute Wrecks, Treaſure, Trove, Iſlands riſing in the Sea, or Arms thereof, and the Salt-Shoar *occupanti*, as they do. But we infer conſequently thereupon with *Bracton* the Title of the Prince, conſidering the Kings Reach is larger than a private Perſons; his Hand ſtretcheth through his Realm, and therefore is ſaid to be the Finder and Poſſeſſor of any ſuch new accident, and any other that ſhall ſeem to find or poſſeſs the ſame, is to be taken as an intruder upon that, which the Prince by Prerogative of his Dignity had firſt ſeized.

In proof whereof I might produce the Caſe of Alienation of goods by the King before *Manual Seizure*, alledged in the Caſe of Mines reported by Mr. *Ployden*, and many others in the ſame Caſe vouched, too numerous to be cited here.

Other Examples and Similitudes in our Law plainly confirm the Premiſes, but in a Caſe evident theſe may ſuffice.

It may, perchance, be ſaid how Men that have Poſſeſſions adjoining to the Sea-Side, uſe when the Sea is gone, to put Sheep and other Cattle upon the Salt-Shoar, and ſo every Man occupieth ſo much of the ſame as lieth againſt his Ground, and wins the ſame from the Sea, if he can, and this is generally uſed, and therefore lawful by Cuſtom.

To this we anſwer, that true it is, ſuch Cuſtom hath been uſed, and is yet in uſe to the decay of many Harbours and Roads for Ships; In like manner if any Log of Wood or Wreck of ſmall value be caſt upon the Shoar, the Tenant adjoining taketh it, not that he hath any right thereto, the ſame being the Kings indeed, but becauſe it is truly ſaid, *De minimis non curat Lex.* And therefore for ſuch baſe Wrecks, and for the Salt-Shoar, when it lieth open to the Sea, and little worth of it ſelf, Kings reſpect them not. *Publicum error non facit legem.*

But if Wrecks more precious happen, or the Sea abandon the ſame Salt-Shoars, whereby they become of value, then there is no reaſon that the Prince ſhould loſe his Right, being alike indeed to both, and not extinguiſhed by any Time or Preſcription, as afore approved. *Cuſtom.*

And as for Cuſtom, the Prince is tied as well by Oath to aboliſh corrupt and unlawful Cuſtoms, as to maintain the good and lawful. *Cuſtoms.*

I confeſs we have certain private Cuſtoms as Gavel-kind and others, which were by our Princes in this Realm permitted; and ſuch Cuſtoms are noted, and remain in Record: But this uſurping upon the Princes Sea-Lands and Salt-Shoars, ought utterly to be aboliſhed and reformed.

Again it will be ſaid, that although it were unlawful, yet were it in Policy ſufferable, becauſe in ſuch ſort, by the Subjects Induſtry, the Limits of the Realm and Juriſdiction of the Prince are enlarged. I anſwer the Juriſdiction of the Prince is nothing increaſed, foraſmuch as the Princes Juriſdiction is as much on the Sea, as on the Land: But it were an ill exchange to loſe Properties for Juriſdiction, where both in Duty belong to the Prince.

Again, theſe things being, as by experience it is manifeſt, the very cauſe of the ruin and decay of our Harbours, and thereby of Navigation, and ſo conſequently a general hurt and weakning of the whole Land, It is Policy and Equity that the Princes Right therein ſhould be ſurely examined; and that ſuch Intruſions ſhould be more ſeverely puniſhed than any other; for that they do not only rob the Prince, but alſo hurt the whole Realm. I confeſs in ſuch places where Land may be gained from the Sea without annoy to any Harbour. If the Subject ſue for Charter from the Prince to enjoy this Land in regard of his Charges and Danger, he may with reaſon crave it at an eaſy rate: But for a Man to attempt the ſame without Charter it is as *Bracton* ſaith, *Gravis præſumptio contra Regem, & dignitatem ſuam, & quaſi Crimen furti*: And worthy of greater puniſhment then the loſing of that he hath unjuſtly intruded upon.

We will now examine how a Man may loſe his Property and Right in his Lands being ſurrounded or poſſeſſed by the Sea or Arms thereof.

The Learned *Judge Bracton* hath a Chapter in his ſecond Book *de acquirendo rerum Dominio* thus intituled

intituled, *Qualiter acquiritur poſſeſſio per uſucaptionem*, wherein he plainly ſheweth how a private Subject being free born, without any Title or Intereſt, may by having quiet Poſſeſſion for a long time of another Mans Land, Purchaſe a Propriety therein, and the right owner ſhall by his negligence and ſufferance in time looſe his Right; but in what time this may come to paſs he hath theſe words *ſed quam longa eſſe debeat non definitur à jure, ſed ex juſticiariorum diſcretione.* Reſerving the Limitation thereof to the Juſtices diſcretion, as a thing at that time by the Law not determined belike; for in ſeveral Caſes ſeveral times are all.

The diſcretion of the Judges.

But Sea Caſes of all other require leaſt time for tranſlation of Property, as appeareth in the Caſe of common Law, where it is decided, that if a Ship of any Subject in this Land be ſure taken and Poſſeſſed by the Adverſary, and yet afterwards recovered by another Subject from the Adverſary, the firſt hath utterly loſt his Property in her, although ſhe were but one Day poſſeſſed by the Adverſary.

Tranſlation of Property in Sea Caſes.

Again in Lands poſſeſſed by an Adverſary I may for example produce Caſes, where many private Subjects having Inheritance, their Lands were violently by the Adverſary ſeized; I think there is no Law doubteth, but that the owners have ſo far loſt their Properties therein, that if they were gained or recovered again, no one of them could pretend Property in their old Poſſeſſion, no though they did hazard their Lives in the recovering again thereof; But that it ſhould wholly reſt in the Prince's diſpoſition: So far is their intereſt gone in that Land, which either by their Negligence or ſufferance, either wilful or conſtrained,

Enemy gain Lands.

ſtrained, the Enemy had once ſeized and poſſeſſed.

Now for application of this, I ſay the Sea is an Adverſary no leſs raging and implacable than the forenamed, the which after it has once ſeized on my Land that I have no hope to remove it off again, but ſuffer it quietly to Poſſeſs the ſame, by my former example my Property in that kind is gone, and whenſoever after this continued Poſſeſſion, by me ſuffered, it ſhall depart and leave the ſame, I muſt ſay with Judge *Bracton*, In *agro quondam meo nihil Poſſum vendicare*, but how long the Sea ſhould poſſeſs it to take the Property from the Owner, the Juſtice muſt determine. By *Bracton*'s Opinion, in moveables a day ſufficeth, as is aforeſaid in the Caſe of a Ship taken in the Sea. And for Land, a Years Poſſeſſion of the Sea, giveth it to the King, ſo that if any Mans Land be thereby drowned, although it be by *ſubite* increaſe, if he ſuffer it to remain without indeavour to recover it again in one whole year, it is the Princes, and at his diſpoſition to let or give to whom he liſt.

Si home ſuffer. ſes terr. eſtre ſur rovind. per le mere per le eſpace d' un anñ. c. eſt forfeit al Roy.

We find that the Civil Laws *per Confuſionem* always give Property *digniori*, which is likewiſe ratified in our Laws, as appeareth in the Caſes of Mines, as decided between the Queens Majeſty and the Earl of *Northumberland* in the Chequer Chamber, where it was reſolutely adjudged becauſe the Royal Mines were confuſed with Baſer Copper, and wherein a private Subject may have Property, yet *Propter confuſionem* they went both *digniori*, and are altogether the Princes; ſuch is the lawful Prerogative of Royal Dignity: Wherefore I aver in like ſort, that if the Sea win upon my Land, and deface the Bounds, there is

Majus dignum trahit ad ſe minus dignum.

Con-

Confuſion with the Princes Sea-Land, and therefore *utrumq; cedet ſuperioribus* by the Laws Civil, as alſo by the Laws of this Realm, and ſo the Prince is juſtly intituled to both; wherewith agreeth the Cuſtom of ſuch as by the Charter occupy part of the Salt-Shoar, for they diligently obſerve their bounds, ſaying if theſe their marks go to Sea, the Land is the Princes again.

Brombil Surround. per le Sea & forfeit al Roy.

And this is the very Caſe of *Broombil* in *Kent*, which was about 100 Years ſince ſurrounded of the Sea, in ſuch ſort, that at Spring Tides it was wholy drowned, and at lower Water nothing but Ouſe and Mud; yet ſome Monuments of the Church and Houſes ſtill remain, and divers have Evidence of their Lands there to ſhew: But the Bounds being thus defaced, and by the Sea ſo long Poſſeſſed, the Prince is juſtly intituled unto it, and at this preſent leaſeth it out, and receiveth Rent for it.

How far the Salt Shoar extendeth.

Alſo the Law is *Quod omnes forreſtæ ſint integræ Domini Regis*, and in like manner between *England* and *Scotland*, belong wholy to the Prince; Albeit the Lord *Dacres & Grey* have Lands adjoining to them; And thus the Seas and their Salt-Shoar being *metæ vel muri hujus Regni*, are entirely the Princes, as is alſo before proved; but perhaps a Queſtion may be moved, how far the Salt-Shoar doth extend, and how it is to be limited.

To this I anſwer, that although by the Rigour of the Law, the Salt-Shoar doth reach as far as the greateſt Winter Floud doth flow: Yet do I ſuppoſe the Law and lawful Cuſtom of the Realm do thus interpret the ſame.

That it be taken no further than the Sea, by natural courſe, not inforced by rage of Weather

do

do riſe; For all Men that have Poſſeſſion by the Sea-ſide make walls to fence out the rage of Waters, not diſturbing the ordinary courſe of the Sea, ſo that thoſe Walls may be truly accompted bounds of Mens Poſſeſſions, and the reſidue is left to the Sea, and parcel of the Salt-Shoars, wherein no Man may have property, but the Prince and his Aſſigns.

Si les walles ſont ſubverted. & defaced. iſſint & iiſdem appeare donq; les terr. a-lant al Roy propter confuſionem.

And if the Sea, by rage of Weather, do break down any walls, and ſeize on my Inheritance, it ſhall not for ſuch ſuddain inundation take my Property from me, But that I may in convenient time recover the ſame again: But if I ſuffer the ſame to be Subject to the Salt Water ſo long, that my walls and bounds be defaced, then is it out of Queſtion the Princes, *Propter confuſionem* as is aforeſaid.

For as much as by the Laws it is proved that the Sea-Land and Salt Shoar, ſo far as the Sea by natural and ordinary Courſe hath overflown, is the Princes, it is requiſite to ſay ſomething of the natural and unnatural extraordinary Courſe of the Seas how they differ.

Les ſpring tides ſont 2. fois chac. mois ſur al nouel Lunæ & al pleine Lunæ.

As touching the natural courſe of the Sea, it is to be noted, that there are every day two Ebbs and two Flows; So there is every Month two courſes of great Tides, and ſcant Tides for ſeven Days after: The Change is the great Tides, which they commonly call Spring-Tides, and then the other ſeven Tides more, that do enſue, are ſmall Tides, Neaptides, and then the next Quarter after the full Moon are the Spring-Tides again.

All the laſt quarter of the Moon come the Neaptides; which Courſe of the Sea is thus monthly obſerved for ever, and theſe Spring-

Tides

tides are as natural or ordinary as the Neaptides; But other Spring-tides there are, which do happen commonly in the Spring of the Year, and likewiſe in Autumn, ſometimes alſo in the Summer after plenty of Rain, and in the Winter by Rage of Winds, or Weather, or any extraordinary Accident, which riſe much above the natural and extraordinary Courſe of the Seas, and ſometimes overflow the Banks of Marſhes adjoining to the Sea, as appeareth alſo in the *Thames* how the Meadows are drowned.

We find that the natural Spring-Tides, that of Courſe come every Month, work no ſuch effect, the one being Unnatural and Tempeſtuous, the other coming by Courſe of Nature; ſo that theſe extraordinary Spring-tides drowning a Subjects Lands ought not in equity, whatſoever the rigor of the Law be, to take away a Mans Freehold; but that when the Salt-Water is gone he ſhould have his Land again; but ſo far as the Sea by naturalCourſe of theſe ordinary Spring-Tides flows, it is the Salt-Shoar, and properly Sea-Land, which none can challenge, but from the Prince.

This appears by late Preſidents in *Kent*, and in this Princes time we have Preſidents in this Caſe.

Firſt all new *Romney* where the Sea left Land and Towns, Men poſſeſſed it almoſt 200 Years, yet now they are become her Majeſty's Farmers, and pay her Highneſs Rent; for it was adjudged 12 *Eliz.* *New Romney in Kent,*

Then *Bromhill* in *Kent*, which was ſurrounded by the Sea, and now left again, at this preſent pays Rent to the Queen's Majeſty. *Bromhill in Kent.*

Alſo at *Dover* certain Houſes were built upon the Land by the Sea-ſide, which in times paſt was part of the Salt-Shoar; for the Salt-Water did *Dover* Houſe built,

did flow upon it, and the Crown receiveth Rent for theſe Houſes; and it is Yearly gathered by the Surveyors, and paid into the Exchequer.

For farther proof of the Kings Intereſt in Rivers flowing from the Sea, the *Thames* was not only given to the City of *London*, but at their ſpecial Suit, the King gave therewithal the ground and ſoil under the ſame; whereupon if any that hath a Houſe or Land adjoining do make a Strand, Stairs, or ſuch like, they pay forthwith Rent to the City of *London*, let them be never ſo high above the Low Water Mark. Such is the Princes Intereſt in all Rivers that ebb and flow.

There are a great number of theſe Gifts in ſundry places of *Kent*; whereby Men juſtly hold their Salt-Shoar, by the Princes Grant.

Alſo in *Magna Charta* it is expreſly ſet down, that the *Juſticiarius Itinerarius*, ſhould among other concealments of Lands from the King, make a ſpecial inquiry *de uſurpationibus factis ſuper Dominum Regem in Mari*, which is alſo mentioned in *Bracton*; whereby it is evident, that in thoſe Days no Man durſt intermeddle with the Shoars of the Seas, or appropriate any parcel of them to himſelf, without the Kings Charter, but he was to be preſented for an Intruder, as is alſo evident by the Caſe enſuing of the Abbot of *Ramſey*; *Dier* 326 *b. Plus de ceo.*

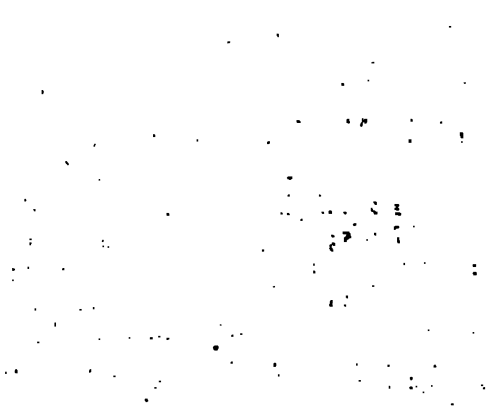
In memorand. ſeren. Reginæ dominæ nunc Eliz. apud Weſtmonaſterium de Anno 43 *Ed.* 3. *vid. inter Record. de termino S. S. Trinitatis Rotl.* 130 *ex theſaur. ipſius dominæ Reginæ.*

In that pleading the Abbot was charged with intruſion of certain Sea-Lands, *viz. quod appropriavit*

avit ſibi & domini ſuæ mariſcum apud Brancester ſine licentiâ Domini Regis.

This Abbot was fain to come to this Iſſue; *Abſq; hoc ſive ipſe aut aliquis ſuorum predeceſſorum appropriavit ſibi aut Domini ſuæ aliquem mariſcum ſine licentia Domini Regis*; Or Judgment had paſt for the King: Whereby it is Evident to be concluded, as well by this Preſident, as by infinite other reaſons and Arguments, that no Man ought to incroach on the Seas or Shoars thereof, without the Kings ſpecial Charter or Licenſe.

THE



THE
Great Queſtion
Reſolved.

WHETHER

A King of *ENGLAND*

CAN MAKE

Wars and *Alliances*

WITHOUT

Notifying it before to his two Houſes of PARLIAMENT.

Addreſſed in a

LETTER

TO A

Miniſter of State in the Year 1673. When the Marriage with *Modena* was on foot.

Salutem Reipublicæ tueri nulli magis conv'nit quam Cæſari. Gzil. de pace publ. l. 1. f. 2.

THE

Great Queſtion Reſolved, &c.

SIR,

YOur Commands have been always ſacred things to me, which I never diſobey'd or diſputed; however give me leave to tell you, that you put too high a Complement upon me, when you were pleaſed to think me capable of giving you a ſatisfactory reſolution in a Queſtion of ſuch importance; but to convince you how intirely I am at your diſpoſal, as likewiſe to detain you no longer from receiving ſatisfaction, ſuch I mean as I am able to give you, upon ſo tickliſh a point, I will handle it with all the perſpicuity and brevity I can, and out of my little reading offer to you ſuch Examples as our Hiſtories afford, and will then humbly ſubmit the application of them to your ſelf.

You tell me that ſeveral worthy Gentlemen of your acquaintance, well-wiſhers to his Majeſty's Perſon and Government, and who wou'd be ready upon all occaſions to give the utmoſt proofs of their Zeal and Sincerity to both, are ſomewhat diſſatisfyed at the preſent conduct of our Miniſtry, and particularly wou'd have you believe, that a Brother and Heir Apparent of the Crown of *England* cannot marry without the Conſent and Approbation of Parliament. As likewiſe

that there is a neceſſity that it ſhould be with a Proteſtant Lady, and laſtly, that his Majeſty's late Alliance with *France*, tho' the main end of it be to humble the inſolent and ungrateful *Hollander*, and vindicate our Soveraignty over the Britiſh Seas, is deſtructive of the real Intereſt of the Proteſtant Religion.

Where I, by a vanity common to moſt Authors, rather inclin'd to make an impertinent oſtentation of my own learning, than give you a plain reſolution of the abovementioned points, I could eaſily ſhow that the further we run back into the Hiſtory of our Conſtitution, ſo much the more abſolute and unlimited ſhall we find the Authority of our Princes to have been, not only in theſe matters, but many others of different nature. Some few inſtances of this perhaps I may lay before you hereafter, but at preſent I ſhall content my ſelf to obſerve what has been commonly practiſed in the two foregoing Centuries.

'Tis a plain Caſe that King *Henry* the Seventh did not demand, nor had the Conſent or Advice of any of his Parliaments in the Marriage of his Daughter to the King of *Scotland*, which was then, and appeared afterwards to be no ſmall concernment to the *Engliſh* Nation. *Mary* Queen of *Scots*, Mother to our King *James*, and Heir to the Crown of *England*, Marryed with the *Dauphin* of *France*, who was of a contrary Religion to that which then ſeem'd to be moſt countenanced by the *Scottiſh* Nation, in which the ſuffrage of her Parliament was neither called for, or relyed upon. Our incomparable Queen *Elizabeth* enter'd into a formal Treaty of Marriage with the Duke of *Alencon*, Brother to the then King of *France*, who was of a contrary Religion to her,

her, and, by Iſſue to be had by her, might have annexed the Kingdom of *England* to *France*, and introduced that kind of Government among us; yet our Parliament Records will tell you how often ſhe was diſpleas'd with them for their fears of the Dangers and Incertainty of Succeſſion, and for intermedling with her Marriage; and Mr. *Camden* in his Annals of her Reign, gives us a large account of the Indictment, Tryal, and Sentence of Dr. *Parry*, a Member of the Houſe of Commons, and his being Executed and Hang'd in the *Palace-Yard* of *Weſtminſter*, during the Seſſion of Parliament, for ſome treaſonable and unbecoming words uſed in the Houſe of Commons concerning that matter; and we may believe, that the Long Parliament, of Execrable Memory, which raiſed Armies againſt their lawful Soveraign, and at laſt diveſted him of his Regal Power, would hardly have had the aſſurance, to give it no harſher a name, among the many high-flown Propoſitions they offered to the King on the ſecond day of *June*, 1642. to have inſerted theſe following, *viz. that thoſe to whom the Education and Government of his Children ſhould be committed, ſhould be approved by both Houſes of Parliament: And that no Marriage ſhould be concluded for any of the Kings Children with any Foreign Prince, or at home without conſent of the aforeſaid Houſes*, had they not known his Majeſty's affairs to have been ſo embroyl'd both at home and abroad, that he was not in a condition to puniſh their Inſolencies and Uſurpations upon his Authority.

The *Jus Gladii*, or ſole power of making War and Peace is by the Fundamental Conſtitution of our Government ſetled in the Crown, or, to expreſs my ſelf more properly, the Crown is

ſetled upon it. Neither can the King grant this exerciſe of Regal Power to any without violation of his Oath, for which reaſon our Victorious King *Edward* the firſt ſent word to Pope *Gregory*, who demanded of him the Thouſand Marks *per annum* granted by King *John*, *quod jure jurando in Coronatione ſuâ fuit aſtrictus quod jura regni ſui ſervaret illibata.* 3 *E.* 1. *M.* 9. *in ſcbed.*

If the Supreme Power be lodged in the Kings of *England*, as was declared in 24 *H.* 8. 6. 12; and if the Crown of *England* is an Imperial Crown, as was declared in 26 *H.* 8. *C.* 1, 1 *Eliz. C.* 1. 1 *Jac. C.* 1. then without doubt it will neceſſarily follow, that the Right of making Alliances or Leagues is ſolely in them; for to make a League, or contract an Alliance, what is it, but the exerciſe of the Supreme Power?

The People without the King cannot make a War, but the King without the People can, 19 *E.* 4. *f.* 6. the King is Conſervator of our Laws, 8 *H.*7. *f.* 1. But if he has not the *jus Gladii* how is it poſſible for him to protect them?

The *Poſſe Regni* is ſuch an individual Right of the Crown, that a King without it is in truth nothing but a *Rey de Havas*, or a *Teſta di ligno.* Let us obſerve what a Celebrated Lawyer ſaid formerly. *Oportet* ſays *Glanvil*, *Regiam Poteſtatem armis eſſe decoratam*, and another eminent Author, who was no ſtranger to our Conſtitution, I mean the famous *Bracton*, poſitively aſſerts, that *in Rege, qui recte regit, neceſſaria ſunt hæc duo, arma & leges.* The King is bound to protect and defend his People, but if he has not the aforeſaid *jus gladii* how can he do it?

This Sovereign Power of the King's making Leagues and Alliances was never queſtioned but

by

by ſome mercenary Antimonarchical Scriblers in the late Commotions: And indeed reaſon ſhows that this Power muſt be lodg'd in the King, for Parliaments are not always in being, and upon every League that the King makes with any Prince, if he ſhould be forced to Summon a Parliament, as the Subject wou'd receive no intrinſic benefit by it, ſo it wou'd make the Regal Authority precarious, and leſſen his Majeſty's Reputation with Foreign States.

The learned *Bodin*, who was one of the greateſt Hiſtorians of his time, as well as the ableſt Politician, in his Elaborate Treatiſe *de Repub. f.* 165 *C.* 7. maintains, that the reſolution of War and Peace depends ſolely upon the will of the Sovereign Prince. The ſame is own'd in *Calvin's* Caſe *folio.* 25. This is ſo notorious a truth, that things of an inferiour nature, as Tilts and Tournaments, cou'd not be kept without the Kings expreſs leave. *Non licet torneare, bordeare, juſtas facere accenturas, guerrare, ſive ad arma preſumere ſine licentiâ Regis.*

It appears by 2 *H.* 5. *C* 6. that the King alone may make War or League without the conſent of the People, and by 19 *E.* 4. 46. *Fitzh. juriſdict. plac. ultimo*, If all the People in *England* ſhould break the League made with a Foreign Prince, without the Kings Conſent, the League is ſtill valid, and not broken.

I own indeed there are ſome few Preſidents that Leagues and Alliances have been confirm'd by Parliament, as particularly that Famous one between K *H.* 5. his Heirs, and Succeſſors Kings of *England*, and *Sigiſmond* King of the *Romans*; But they were not Leagues and Alliances becauſe they were confirmed, but they were confirm'd becauſe they were Leagues and Alliances. S 4 That

That the *Arcana Imperii*, in which Alliances and Treaties may be juſtly reckon'd, are better carried on and manag'd by a diffuſive Body of Men, than by a few ſelect Perſons, whom the Prince pitches upon for their great Abilities and Experience, is ſo groſs a Soleciſm, that the moſt ſhallow pretenders to Politicks have not ventured to maintain.

And of this the Houſe of Commons ſeems to have been ſenſible in former times; For when our Kings have thought fit to conſult them about War or Peace (not but that they cou'd have made either War or Peace without them, but they did it out of Compliment to thoſe that had the diſpoſing of the Sinews of War) they have frequently expreſſed their diſabilities, and unwillingneſs to adviſe the Kings therein, and have refer'd themſelves to the King and Lords.

The 6 of *R.* 2. the Parliament was called to conſult whether the King ſhould go in Perſon to reſcue *Gaunt*, or ſend an Army? The Commons after two days debate crave a Conference with the Lords, and by Sir *Thomas Puckering*, their Speaker, proteſt that Councils for War properly belonged to the King and his Lords, yet ſince they were commanded to give their advice, they humbly adviſed the King to undertake that expedition. 6 *R.*2 N. 14, 15.

The 7 of *R.* 2. the Commons are again deſir'd to adviſe upon examining the Articles of Peace with the *French*, whether War or Amity upon ſuch Terms ſhould be accepted. They modeſtly excuſe themſelves as too weak to interpoſe their Counſel in matters of that importance; but being once more commanded, as they tender'd the reputation

putation and right of their Prince, they made anſwer, and gave their opinion rather for Peace than War, 7 *R.* 2 N. 16.

The 13 of *Edward* 3. the Lords and Commons were Summon'd to conſult how the Domeſtick quiet might be preſerv'd, the Marches of *Scotland* defended, and the Sea ſecured from Enemies. The Peers and Commons having conſulted a part, the latter deſired that they might be excuſed from giving their advice upon things of which they had no cognizance, *de queux i'ls n'ont pas cogniſance.* And in the 21 of the aforeſaid *E.* 3. being again call'd upon for their advice, after four days conſultation, they humbly deſired the King that he would be pleaſed to be adviſed by the Lords, and others of more experience than themſelves, in ſuch Affairs.

In the Parliament 21 of *Ed.* 3. Sir *Bartholomew Bugherſt*, the Kings Chamberlain, declares to the Commons in Parliament, that there was a Treaty of Peace on foot between the Crowns of *England* and *France*, which was in a hopeful way of being concluded, and therefore deſired to know of them whether they approved it. The Commons unanimouſly declare, that as for this matter they intirely ſubmit themſelves to his Majeſty's determination, and that of his Nobles. 28 of *E.* 3. N. 59.

And this is what the Houſe of Commons have almoſt conſtantly Practiſed in * moſt of our Reigns, as evidently appears by our ancient Records too numerous to be cited here; Which we cannot ſuppoſe they would have done, had they believed they had any Privilege, Right, or Power in making War and Peace, otherwiſe than by granting

* Particularly thoſe of *Edw.* 3. *R.* 2. *H.* 6.

granting Aids, and Subſidies to ſupport and carry on the War.

Upon this wiſe foundation, I mean in keeping undiſcovered the reſults of their Councils, the famous Republic of *Venice* has ſubſiſted and flouriſhed longer than that of *Athens* and *Sparta*, the latter inſtituted by *Lycurgus*, the former by *Plato*, were known to doe, or even the famous Government of *Rome*, which Conquered the Univerſe: And altho' their Ambaſſadors to Foreign Princes are charged at their return to bring to the Senate, there to be recorded, an exact account of the Manners, Affairs, and Cuſtoms of the People among whom they were employ'd, yet they make it highly Criminal for any of their Senators, without ſpecial Licenſe, to viſit or converſe with the Ambaſſadors or Reſidents of any Foreign Princes: I need not mention the *Helvetian* and *Dutch* Republics, where all the important Affairs of State are conceal'd from the multitude; and indeed if every pretender to Politics, (and few Men are ſo humble as to think deſpicably of their own underſtanding) were allow'd to draw the Curtains of State, and interpoſe their own Opinions as to what meaſures are to be obſerv'd, as well with our Neighbours abroad, as our Fellow Subjects at home; we ſhould have ſuch a jaring and diſtraction in all our Conſultations, as would render abortive the beſt grounded Rules and Methods of preſerving Authority and Peace in our own Territories, as likewiſe Commerce, good Neighbourhood, and Correſpondence with Foreign Princes.

All the Stratagems and lawful deſigns of Sovereign Power, which many times keep off, and hinder a War, and the Miſeries that attend it, would be diſappointed. All

All Treaties and Alliances with Neighbours and Foreign Princes, being the moſt approved and excellent Antidotes againſt War, and Troubles, and the beſt Preſervatives of Peace and Quiet, wou'd be ſo long debated; that the execution of them won'd be entirely loſt.

And now, I foreſee, it will be objected, that altho' we ſhould admit Princes to have the aforeſaid Power lodged in them, yet the *Salus Populi*, which ought to govern all their actions, will oblige them to make no Alliances, but with ſuch Potentates and States as profeſs the ſame Religion with themſelves, for fear of involving their People in any Diſorders or Tumults, of which Religion is always made the handle. This, I confeſs, is ſpeciouſly enough Pretended, however experience ſhows, that Alliances and Leagues may certainly be made with Neighbouring, or more remote Kingdoms, without any danger or ſcandal to the different Religions profeſſed on either Part.

Neither King *David's* League with *Hiram* King of *Tyre*, an Heathen and Idolater, and of a Religion directly oppoſite to that of the Kingdom of *Iſrael*, God's choſen People; nor that which *Solomon* his Son, the Wiſeſt of Kings, made afterwards with the abovementioned Prince, or his ſending unto him for Cedar and Firr-Trees, Skilful Gravers, and Workmen, to help to build and adorn the Temple, which he intended to build; nor his making uſe of *Hiram's* Servants and Mariners, who were then the moſt Skilful in navigation, to fetch Gold and Silver from *Ophir*, and *Tarſhiſh*, were accounted to be either Sins or Errours in Government, or deſtructive

ſtructive to the Religion which God himſelf had bleſſed and Planted amongſt them.

When the Pacification was made betwixt the Papiſts and Lutherans, and the Peace of *Germany* tolerably ſetled by the *Ausburgh*, or *Auguſtine* Confeſſion, the Religion of either ſide was not transferred, or devolved one into another.

Our Prudent Queen *Elizabeth*, guided by as Wiſe and Faithful a Council, as any Prince of the World ever made uſe of, which her Glorious Actions and Steady Government abundantly manifeſt, was not in her Leagues with the *Muſcovites* and *Turks*, for the benefit of Commerce, ſo unhappy as to be ſuſpected by her own People to have the leaſt inclination either to adopt the *Grecian* Church, or to turn *Mahometan*; or when ſhe did ſo Cordially interpoſe, both with her Strength and Intereſt, to Protect and Support the Great *Henry* the *Fourth* of *France*, with Men, Money, and Arms, and at the ſame time was not ignorant of the Councils given him, and his Propenſity, for the Purchaſe of his Subjects Peace, and his own Quiet, to reconcile himſelf to the Church of *Rome*; This incomparable Princeſs, could not with any colour of reaſon, be ſuppos'd guilty of any of the like purpoſe.

The Antient and yet continued Leagues of the *Proteſtant Swiſs* Cantons, with thoſe of the *Popiſh* Perſwaſion to defend each other, and the Leagues both of the Proteſtant and Papiſt *Swiſſers* with the *French* Kings, who are *Catholicks*, to furniſh them for pay in their Wars with great numbers of Souldiers, were never yet underſtood by them to be Prejudicial, either to their own Leagues for common ſafety one with another, or to any of their eſtabliſhed Churches, or Religion.

Oliver

Oliver Cromwel joined his Forces with *France*, and promoted and advanced the deſigns of Cardinal *Mazarine* againſt the King of *Spain*, yet was never complained of, tho' ſuppoſed to have endangered the Proteſtant Intereſt by doing ſo. I would not have drawn a Preſident from any Action of that Execrable Uſurper, but becauſe it may ſerve to ſtop the Mouths of ſome People, who ſtill pay a blind veneration to that Idols Memory.

The *Dutch* in their late League with *France* to invade and fall upon *England*, were not looked upon by their Mechanicks and Skippers as Men that deſign'd to introduce either Popery or Arbitrary Power; and in their late Counter League with *Spain*, cannot be thought to intend to bring again upon themſelves the *Spaniſh* Inquiſition. Our *Tangier* Friendſhip and League with the *Moors*, or that of ours with *Argier*, can afford neither proof nor Probability that we begin either to love their Religion, or to be weary of our own; and the King of *Poland*'s late League with the *Czar* of *Muſcovy*, to imploy their joint Forces againſt the *Ottoman* Empire, is not likely to Create any Jealouſies, either in his Popiſh or Proteſtant Subjects, that he is ready or willing to exchange his own Religion for that of *Ruſſia*.

And indeed our Laws do declare that Peace and War, and the determination of them are ſuch inſeparable Flowers of the Crown, that none but they that wear the latter, are to meddle with the former: Nay, as it has been already obſerv'd, our Commons in Parliament, heretofore have modeſtly declin'd to give their Opinions of theſe matters, as not belonging unto them; Now the Leagues and Marriages of our Princes having ſo great an influence in relation to our Peace and

War,

pher, and in this alſo, for he had neither the Election of publick Officers, nor of his private Attendants: his half Brethren, and their Followers he was obliged to diveſt of all their Fortunes, and direct his Writs to the Earls of *Holland* and *Surrey*, *pro tranſportatione fratrum ſuorum*, who were not to paſs either with their Money, Arms, or Ornaments, *niſi in formâ quam dicti Comites injunxerint*.

Nor was this all, but the Caſtle of *Dover*, and all other places of ſtrength in the Kingdom were put into the hands of their own Creatures, who were obliged to take an Oath to be true to the Government, and the like aſſurance was taken of all Sheriffs, Bayliffs, &c. and other publick Miniſters. This, tho' *prima facie* it was popular enough and taking, yet the true deſign was by diſplacing the faithful Servants of the King to open a way to their own Dependants.

Montford, *Gloceſter*, and *de Spencer*, the Heads of theſe Arrogant Rebels, having by their undutiful practiſes drawn the entire Adminiſtration of the State into the hands of twenty four *Tribunes* of the People, and finding that power too much diſperſed to accompliſh their ambitious deſigns, force the King to Summon a Parliament, where they got the Authority of the 24 to be delivered up to themſelves. and created a ſhort-lived Triumvirate, in order to make a ſpeedier way for one of them to become a *Dictator perpetuus*. Theſe three Elect Nine Councellors, and appoint that *Tres ad minus alternatim ſemper in curiâ ſint*, to diſpoſe of the Cuſtody of Caſtles, and *de aliis regni negotiis*: they reſerve to themſelves the Choice of Chancellor, Chief Juſtice, and Treaſurer, In ſhort, of all Officers *majores & minores*, and bind the King to this hard bargain, upon ſuch ſtrong Security,

Security, that he is content both under his great Seal, and by his Oath, to releaſe them from their duty of Allegiance, if he ſhould be ſo ill adviſed as to aſſert the Honour of the Regal Dignity, *liceat omnibus in regno contra nos inſurgere, & ad gravamen noſtrum opem & operam dare nobis in nullo tenentur.*

In this low Ebb of Fortune the Poor Monarch begins with Sale of Lands, then of Jewels, Pawns *Gaſcoine*, and after that his Imperial Crown, and when this ſtock was exhauſted, the very Jewels and Ornaments of St. *Edward*'s Shrine, and at laſt not having wherewith to defray the expences of his Court, was forced to break up Houſe, and, as *Mathew Paris* informs us, with his Queen and Children *cum Abbatibus & Prioribus ſatis humiliter hoſpitia quæſivit & prandia*, and the King himſelf confeſſed to the Abbot of *Peterborough*, when he came to borrow Money of him, *Majorem eleemoſynam fore ſibi juvamen pecuniare, quàm alicui Oſtiatim mendicanti*, that it was a greater Charity, to ſupply him under thoſe neceſſities than to releive a poor Wretch that begged from Door to Door.

And when at laſt, for preventing the effuſion of Blood, the matters in debate between the King and his Barons, by the Conſent of the Barons themſelves, were referred to the Arbitration of the King of *France*, his Chriſtian Majeſty, after conſultation had with the Biſhops, Earls, and Nobility of *France*, upon the Debate and hearing of both Parties, did Solemnly give Sentence againſt the Barons of *England*, and make his award, (an Exemplification whereof is yet amongſt our Records to be ſeen) that the ſaid Acts and Proviſions of Parliament, except

that only which concerned the Charter granted by King *John*, were and ſhould be null and void, as derogatory to Kingly Government.

In King *Edward* the Seconds Reign certain great Lords, having obtained Commiſſions from the King to manage the affairs of the Crown, thoſe Powers which were given to them were afterwards by that King in Parliament declared to be void, and the Parties obtaining them Puniſhed for incroaching upon the Regal Power and Authority.

In the tenth Year of the Reign of King *Richard* the Second the like Commiſſions, or ſomething of that Nature, upon pretence of reforming abuſes, having been granted by that King, tho' to endure but for a Year, to certain of the great Lords and Officers of the Crown, they were afterwards in the one and twentieth Year of that Unfortunate Kings Reign repealed by Act of Parliament, as incroaching upon Royal Authority, and no ſuch Commiſſions ordered hereafter to be granted.

And in truth thoſe things, which the King is inveſted with *pro bono publico*, are ſo inſeperably united to the Crown, and annexed to his Perſon, that he cannot diveſt himſelf of them, or grant them to any other. *Coke lib. 7. le Caſe de Penal Laws.*

In common Nuſances for not repairing of Bridges and Highways, *&c.* the ſuit is ſolely given to the King, *quia nulli magis rempublicam tueri creditum eſt quam regi*, but the King cannot Pardon or diſcharge them: for as *Bracton* ſays, *C. 3. F. 132. non poteſt Rex gratiam facere cum damno & injuria aliorum*; ſee *Glanvil L. 7. C. 17.* and therefore ſince the reſtraint of the exerciſe of theſe Royal

Powers

Powers is directly againſt the ſafety of the People, he cannot grant them.

In ſhort, the making of Leagues, War, or Peace ſo peculiarly belong to the Crown, that they cannot be taken away by Act of Parliament. There was a deſign in the beginning of King *James*'s Reign to take away Tenures, by a Statute expreſly made to that purpoſe, but it was reſolved by the Judges, that ſuch a Statute had been void, becauſe the Tenures were for the defence of the King and Kingdom. And the King himſelf will tell you, that *jura coronæ noſtræ integra & illæſa pro viribus conſervanda*, &c. *ad hoc ex debito aſtringimur vinculo juramenti.* Regiſt. Fol. 61, 62. And likewiſe: *Ea quæ juriſdictionis ſunt & Pacis, & quæ juſtitiæ & paci annectuntur, ad nullum Pertinent niſi ad Coronam & dignitatem regia, nec à Coronâ ſeparari poſſunt cum faciem ipſam coronam.* Stanf. Pl. 54. 6. Nay many Acts of Parliament made againſt the Kings Prerogative have been nulled and repealed by Parliament it ſelf, as for inſtance, the Statute 15. *E.* 3. was repealed becauſe it was againſt the Kings Laws and Prerogative. *Inſt.* Part 4. F. 52. 17. *E.* 3. N. 23. 27, 28. 21. *Rich.* 2. n. 2.

Thus I have in as ſhort a compaſs, as I was able, given you my Sentiments upon your Queſtion, which I have endeavour'd to ſupport all along by inſtances out of our own and Foreign Hiſtorians; ſuch as it is, I intirely ſubmit it to your better judgment, and am proud of any occaſion you give me to approve my ſelf

Your moſt Obedient, and Faithful Servant.

LETTERS OF STATE

FROM

Sir *Henry Bennet*

Secretary of State,

(Afterwards Lord *Arlington*)

To his Grace the

Duke of *Ormond*,

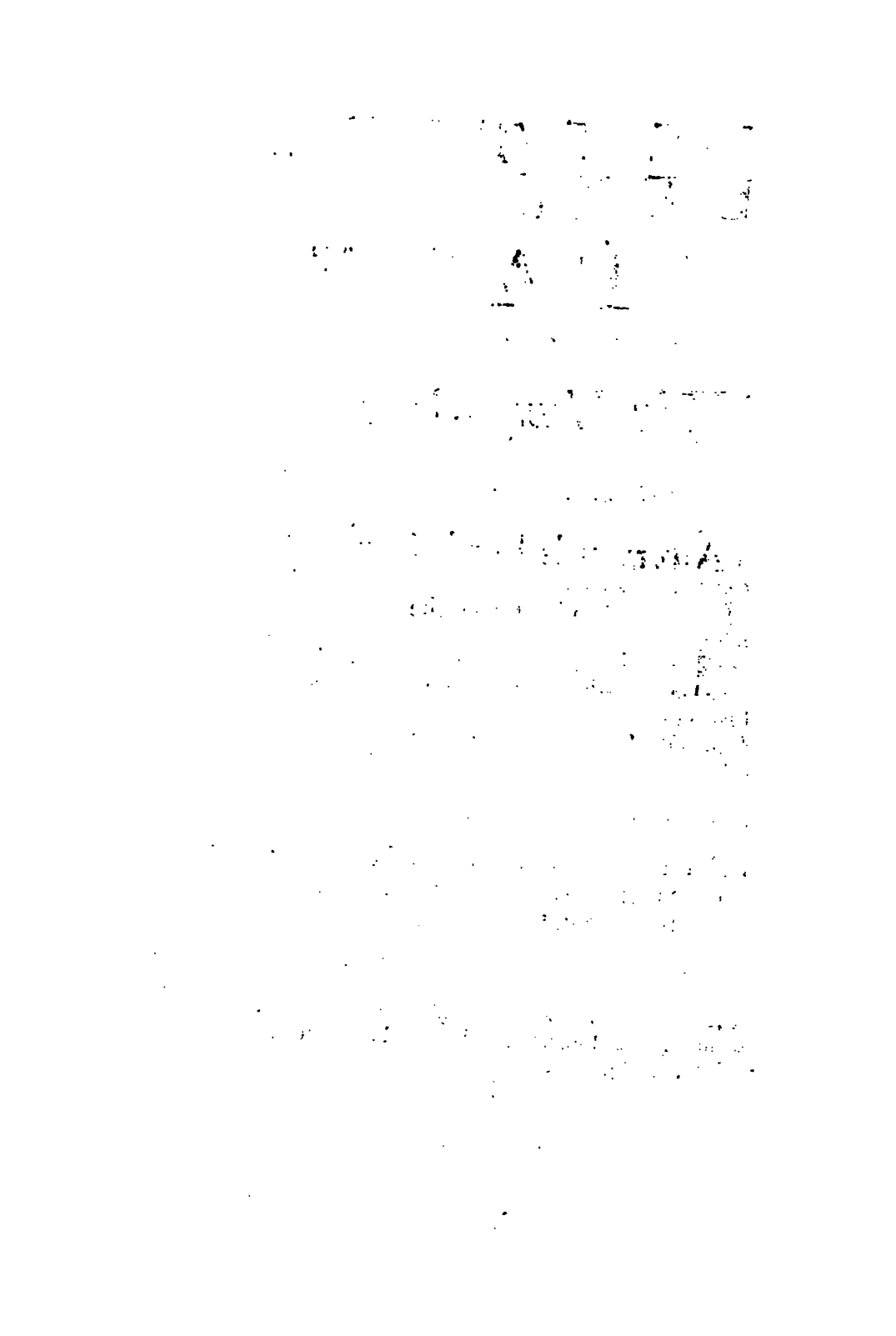
Lord Lieutenant of *Ireland*.

Wherein

All Tranſactions relating to both Kingdoms from the Year 1662. to 1666. are to be found.

As likewiſe

To his Grace the Duke of *BUCKINGHAM* about the Inſurrection in the North in the Year 1663.



LETTERS OF STATE, &c.

To the Duke of Ormond.

Whitehall 23 *Nov.* 1662.

My Lord,

THis acknowledgeth your Grace's by Sir *James Shaw*, one anſwering a former of mine, the other being a Preamble to me, I receiv'd from the Council of that Kingdom, by the ſame Hands, which I obtain'd of his Majeſty to hear read this Afternoon, and from whence I come juſt now. Something I ſhould ſay in excuſe of this, if there ſhould be any thing defective in it, and the Anſwer I have to give not being a very ſatisfactory one, I ſhall preſume to lodge it with your Grace, omitting for that reaſon the Ceremony of writing to the Council, for which I beſeech your Grace to get my Pardon, if I chance to be cenſur'd for it.

His Majeſty, His Royal Highneſs, Prince *Rupert*, my Lord *Aſhley*, and my ſelf preſent, after ſome ſhort debate upon the Council's Letter, it was concluded utterly impoſſible to help that Kingdom, with the ſumm of ready Money deſired

in order to compound the Debts there; and reſolv'd this ſhould be immediately written to your Grace, without taking any more time to think upon it here, or amuſing you with half hopes, or promiſes which could never be effected; in ſo ill a State are the Publick Affairs here for want of ready Money; the little Reſerve his Majeſty hath kept out of the Sale of *Dunkirk*, being not to be touch'd for a leſs occaſion, than an Inſurrection here at home, which the Fooliſh and Diſcontented People are apt every Day to Threaten and Apprehend.

After this poſitive Concluſion, it was conſider'd whether that Kingdom it ſelf might not afford ſomething for its own Eaſe, and his Majeſty readily conſented he would have a ſtop from this Inſtant put to all Grants there that had not paſs'd the Seal, and the Publick accommodated with them, and all future ones that could be found; adding, that if it were for the Eaſe of that Kingdom, for the future a Proportion of the worſt part of the Army there might very well be diſbanded, and ſo the Regiment of his Majeſty's Guards entertained out of their pay, inſtead of calling it from hence, there being no Poſſibility of ſupplying it.

This, as I Remember, is the Subſtance of what I was bid to write in anſwer to the Councils Letter, which, I am not only ſorry for, as an ingenuous confeſſion of Our own wants, but for the mortification you there muſt needs receive by it, and that my firſt Endeavours in your Service have had no better Succeſs.

I have no news to add out of your knowledg, but the ſending Mr. *Davies* to the *Tower* by his Majeſty's Command a cloſe Priſoner, which was

the

the work of *Saturday* laſt, of which I do not repeat the occaſion, believing that your Grace is not ignorant of it.

I am ever

My Lord,

Your Grace's moſt Humble, and moſt Obedient Servant,

Hen. Bennet.

To the Duke of Ormond.

Whitehall 24th of Feb. 1663.

My Lord,

THo' I had no Letters from Your Grace, nor any Body elſe of that Kingdom, relating the diſtempers into which the Houſe of Commons is fallen, upon his Majeſty's Commiſſioners reſtoring ſome few innocent Papiſts to their Eſtates, and the Extravagant demands they have made thereupon to your Grace; Yet being call'd by his Majeſty to a Debate which hath been held upon that whole matter, I heard Mr. *Henry Coventry* explain many things to which I was a ſtranger: However, his Majeſty commanded me to write this Poſt to your Grace, aſſuring you that by the next, there ſhall be a very ample Diſpatch made to your Grace and the Council there, as alſo a third to the Commiſſioners, expoſing

going to you, and all of them His Majeſty's thoughts and reſolutions in the Publick Affairs of that Kingdom. In the mean time I am commanded to let your Grace know, that his Majeſty Expreſſes an intire diſlike and diſſatisfaction, towards the temper he ſees in the Houſe of Commons, to ſuch a degree that, I am perſwaded, nothing but their diſavowing what they have done, and reſtoring themſelves to that duty and moderation which becomes them, and them eſpecially, after ſo many Acts of Grace and Indulgence on his Majeſty's part towards them, will keep them tolerable in his good opinion; And 'tis hoped that they, reflecting upon the inſecurity of their condition there, and the ſupport his Majeſty may probably have from this Parliament now ſitting here, in any thing that tends to their diſcountenance, will be obliged to retract what they have done, and to fall again into that Temper which becomes good Subjects to be Maſters of.

With this I muſt beſeech your Grace, that I may know by the firſt occaſion, for his Majeſty's cleater ſatisfaction therein, the Number and Quality of the Army there, as alſo the Civil Liſt, ſince I have not yet ſeen what my Predeceſſors had in that kind, and that it 'tis propable, ſome Variations may ſince have been made.

Sir *James*, whom I have not ſeen theſe two Months, ſent into my Office two Grants, to be ſign'd for my Lords of *Orrery* and *Angleſey*, offering which to his Majeſty, and telling by what Way they came to me, His Majeſty commanded me to keep them by me till I heard from your Grace upon them.

If your Grace does not hear from his Majeſty himſelf

himſelf by this Poſt, you will certainly the next, with a promiſe of all the ſupport he can poſſibly give you in the Affairs there.

I am, *&c.*

To the Duke of Ormond,

Whitehall 14th May 1663.

My Lord,

THis is deliver'd your Grace by Mr *Carteret*, a Kinſman of Mr. Vicechamberlains, into whoſe hands *Granger*'s Papers are put, ſeal'd up with Mr. Vicechamberlains Seals and mine, that the ſaid Papers may be ſafely deliver'd to your Grace, of which no uſe can be made till *Granger* himſelf arrives with the Key to decypher them, which Mr. Vicechamberlain and I, upon deliberation, conſented to leave in the ſaid *Granger*'s hands, that he might have the ſecurity of not having his Papers made uſe of till his arrival; Neither, indeed, could they be in our Judgment till he be there himſelf to apply the Key.

I tell your Grace all this Story, that you may not believe we proceeded unadviſedly in it, and that your Grace ſhould not ſuffer any body to be medling with the Papers, till you have the Author himſelf by you, in whoſe preſence it will be convenient to have the Seals opened, that He may proceed without any Umbrage.

I am, *&c.*

To

To the Lords of the Council in Ireland.

Whitehall 26th May 1663.

My Lords,

BEing minded by your Lordſhips of the 8*th* current, of a former you were pleas'd to ſend me, of the 31*ſt* of *January* with certain Papers ſeeming to accuſe one *Porter*, for having done that execrable Murder upon the Perſon of our Late Soveraign, whereupon your Lordſhips now deſire to know his Majeſty's Pleaſure; I called Mr. Attorney General for his report upon the ſaid Papers, the Council having committed the examination of them to his Care; which ſaid report from Mr. Attorney your Lordſhips will receive here inclos'd, to which I take leave to refer my ſelf, not having any thing more to add from his Majeſty, who leaves the whole matter to your Lordſhips, to do therein as you ſhall ſee cauſe.

I am, *&c.*

Mr. Attorney General's Report concerning Porter.

IT doth not appear that *Porter* hath confeſſed any thing to accuſe himſelf of that horrid Fact; but denys it, being twice examin'd.

William Carew, ſpeaks effectually as to *Porter's* Con-

Confeſſion of his being on the Scaffold, and taking up the Head, and of ſaying a Traytor's Head, and would do the ſame again if it were to be done, but mentions not his being in a Frock or Diſguiſe, or that he did the Act, whereby to bring him within the exception of the *Act of Oblivion*.

Godfrey Copley ſays, *Mrs. Camden* told him ſhe would juſtifie to *Porter*'s Face, that he did the Act; but her examination appears not.

Chriſtopher Ruſſel, on examination here before Sir *Robert Foſter*, Chief Juſtice of the Kings Bench, ſays, that Captain *Smith* told him, that *Porter* was proffer'd 500*l.* to do the Act, and was one of the three on the Scaffold in a Vizard, and that this *Smith* is in *Ireland*, at, or near *Dublin*, as *Ruſſel* conceives; but *Smith* is not yet examin'd.

There are other Depoſitions of words ſpoken by *Porter* in 1660, that he would do the Fact, if to be done again; for which, if ſpoken after the 25*th* of *April*, 1660, he may be Indicted as for High Miſdemeanor, and Fined in Caſe the Evident appear not full againſt him for the fact, which, as yet, it doth not.

It is requiſite that Mr. *Smith*, and the other perſons mentioned in the Depoſitions, and not yet examin'd, be enquired after, and examin'd; and if their Depoſitions make out the matter of Fact, Proceedings may be ordered according to Law.

To the Duke of Ormond.

Whitehall 16th June 1663.

My Lord,

THis Morning at Five of the Clock, after the painful Expectation of two Poſts without Letters from your Grace, we received yours of the 23*d*, and 24*th*, current, with all your Pieces Written and Printed; Expoſing your good ſucceſs in preventing the Progreſs of the Plot in the manner you had reſolv'd it, which was no ſmall ſatisfaction; God ſend us as happily out of all our troubles, which, I fear, we have not yet ſeen the laſt of.

His Majeſty before he went early a Hunting this Morning, was content to come down to my Chamber, to read your Graces Letters, and afore mentioned Papers, and in the Afternoon entred into a debate upon them; Approving, in general, your Graces Vigour, and ſteadineſs in abiding the Plot ſo far as you did, and for thoſe very reaſons, that you might have grounds, by making Examples of this to prevent another; which his Majeſty deſires you would purſue, by cauſing ſevere puniſhment to be inflicted upon the Offenders, and ſpeedily, whilſt the remembrance of it is warm in the minds of all his Subjects, of which there is much need every where; And in the Examinations, His Majeſty deſires particular Enquiry may be made, what Correſpondents the Traytors have in any parts of *England* or *Scotland*; to the latter of which there are Orders ſent this Night to ſtop all Paſſen-

Paſſengers from *Ireland*, of what condition ſoever, and to the Chancellor there to adverti ſe your Grace of all that paſſes which may relate to your quiet.

This is the ſumm, as well as I remember, of what occurr'd to his Majeſty in the diſcourſe of this matter, if any more offers it ſelf to Morrow, it may go by the Poſt, as this does by *Robin Leigh*, whom I ſtaid this day to carry this Letter; to which I have only to add, that I have, according to your Grace's deſire, prevented his Majeſty from hearing any Petitions of the new Confiſcations, and ſhall be careful the Performance be according to your Promiſe.

I am, &c.

To the Duke of Ormond.

Whitehall June 27th 1663.

My Lord,

IN my laſt I gave your Grace an account of the Vote in the Houſe of Commons, for ſupplying his Majeſty with four Subſidies, out of which his purpoſe having always been to take ſomething for the Eaſe of the Affairs in *Ireland*, that they may not ſuffer in ſtaying for it, till it come in, his Majeſty at a meeting Yeſterday at my Lord Treaſurers declared his intention, to take out of his reſerved Money in the *Tower* 60000*l.* and to ſend it preſently to you in *Specie*, if you ſhall think fit, ſo that by the next your Grace ſhall

ſhall do well, to offer what occurs to you for the Time, Place, or any other Circumſtance, that may beſt ſecure, or accommodate the conveyance of it to you; and this alſo his Majeſty Commands me to ſignify to you.

After I have told your Grace this good News, I am to acknowledge yours of the 20*th* Current, wherein your Grace, making uſe of the liberty given you in my private Letters, offers ſomething to his Majeſties differing from what was propoſed to you in my publick one of the 13*th*, as conceiving it an Expedient, which will only give an appearance of preſent ſatisfaction, without any real eaſe to the laſting condition of the affairs, and therefore propoſes the ſending over an Explanatory Bill, ſuch as with advice of the principal Perſons concerned on all ſides ſhall be agreed upon, and fairly ſecure their reſpective intereſts, with hopes that it will paſs in the Houſe of Commons there; and this is ſo agreeable to his Majeſties mind, that he profeſſes the ſending for Perſons ſpecified in my ſaid Letters of the 13*th*, was only with their advice to come to ſome ſuch concluſion; and now he ſuppoſes will be much better taken upon the place there; In order to which, it ſeems, your Grace agrees with his Majeſty, in Proroguing the Parliament till *Auguſt* 21*th*.

Your Grace's next point is a Propoſition for 1500 Foot, and 200 Horſe, with Riders to be ſent over to you to be mingled amongſt your Army there, for the better ſecuring of them to his Majeſty's Service; your Grace obſerving that many of the Commanders and Inferior Officers are bad and diſſaffected; to which alſo his Majeſty agrees, and will preſently give out orders for the raiſing of 300 Foot, and two Troops

of

of Horſe, but in the mean time would be glad to be advertized, whether you would have them ſtand together there in a Body, that is, whether you will have them made into whole Companies, or take them in a Maſs, to diſtribute them after amongſt thoſe you have there; and in both caſes, what number of Officers you would have ſent with them; that they may be (and no more) accordingly provided here. After this firſt recruit is ſent you, there ſhall be more made ready to the number you deſire, it being a point his Majeſty had already digeſted in his own mind, before he ſaw your Grace's Letter. His Majeſty alſo likes very well your purpoſe of diſarming all Perſons unfit to be truſted with Fire Arms, believing it a point very conducible to the quiet of the Kingdom.

As for the Proclamation your Grace deſires to make, for the Indemnifying thoſe that ſhall by your laſt Plot become guilty of Miſpriſion of Treaſon, tho' his Majeſty agrees very well with your purpoſe in it, ſo it doth not exempt from puniſhment any Principals, yet he deſires you ſhould ſend the Draught of ſuch a Proclamation hither, which being approved of, it ſhall be ſent back immediately again, with ſuch Authority for the iſſuing, as your Grace deſires, his Majeſty concurring wholly with you, that it will be very fit, after ſevere examples are made of the moſt Criminal, the minds of thoſe, who are leſs ſo, ſhould be quieted from ſuch apprehenſions as might diſpoſe them to hearken after any new Practiſes.

In mine of the 20*th* I told your Grace, care would be taken, to ſee what ſhould be conſented to in the Lords Houſe concerning *Iriſh* Cattle,

ſince which, informing my ſelf more particularly of the Clauſe concerning them in that Bill, I find there is no Impoſition pretended to be lay'd upon *Iriſh* Cattle imported between *Decemb.* ..... and the firſt of *July*, which is to prevent the bringing over of fat Cattle only, which (they ſay) would be an infinite prejudice to the North and Weſt of *England* eſpecially; this I give your Lordſhip as the Reaſons by which this Point hath taken place in the Houſe of Commons; whether they will prevail in the Houſe of Lords, and afterwards with the King, is a new Queſtion.

As to the Warrant I ſent your Lordſhip for the execution of Marſhal Law, as your Lordſhip repreſents the inſufficiency of it, and even of that power you ſay you had already in your Commiſſion more amply, your own Opinion takes place, that nothing but an Act of Parliament can well warrant it, wherefore it is recommended to you, to attempt the getting it authorized by the Parliament, when it ſits again; tho' I cannot but obſerve to your Grace, by what we ſee here, that the King's Power is not ſo eaſily reſtored by Parliaments, as it is retrenched; I wiſh you may have better ſucceſs there.

As for the Letters granted by his Majeſty for the reſtoring of Innocent Papiſts to their dwellings, *&c.* in Corporations, 'tis true, they have been gotten from his Majeſty by much importunity for particular Perſons, but upon your Grace's Repreſentation of the inconveniencies, that may, and will ariſe from them, his Majeſty reſolves to be very tender of granting the like for the future, and beſure firſt of having the Parties declar'd Innocent. I have looked on your

Graces

Grace's Letter to his Majeſty by Sir *Fr. Butler*, but cannot obſerve in it what that point is your Grace ſays is not anſwered; pray be pleaſed to explain your ſelf therein by your next; and alſo to direct us how we may ſecure that Letters going to, or coming from that Kingdom are opened, ſince I came into my place I did it once, that is, by his Majeſties Order, opened ſome particular Letters, which was about *Chriſtmas* laſt; and then none of Perſons any way qualified in the Government were touched; neither ſhall I Preſume to command any to be medled with, but by his Majeſty's Special Order.

We have diligently enquired after *Charnock*, but cannot hear of him; the encloſed Letter was brought me by *Littlebury* the Bookſeller, whom I examined with many threats, if he did not produce *Charnock*; all he hath brought me yet, is the ſaid Letter, which I ſend to ſee whether your Grace can make any thing of it.

Colonel *Gilby*, and *Carre*'s Wife living here in *London* have been with me, producing a Teſtimony from the Magiſtrates of *Rotterdam*, that the ſaid *Carre* hath been conſtantly ſeen there theſe ſix Months; which doth not agree with your Information; ſo that perhaps it is a bought Teſtimonial; I beſeech your Grace to tell us what you think of it.

By this time I think I have anſwered all your Letters, and ſufficiently wearyed you; to refreſh your Grace I have to tell you, that this laſt Week hath by an Expreſs from *Portugal*, brought us the aſſurance of an entire defeat of *Juan de Auſtria*'s Army by the *Portugues*'s; the greateſt Victory which hath been heard of in this latter

Age ; gained by them after the loſs of *Evora* and when the People in *Lisbon* were ready to Mutiny upon it. The Particulars are now in the Preſs, and ſhall go to your Grace by the next; ſo I will not lengthen this further, than to ſubſcribe my ſelf.

My Lord,

Yours, &c

To the Duke of Ormond.

Whitehall 4th July 1663.

My Lord,

THis is to acknowledge two of your Grace's of the 25*th* paſt, one of them by Sir *Arthur Forbes*, whom I have promis'd to ſerve to the utmoſt of my Power; The other relating to the Trial of the Priſoners which his Majeſty approves of, and exſpects the Iſſue of it by the next. As to your Grace's Preſſure concerning the Procedures of *Connaught*, his Majeſty acknowledges you have alſo reaſon, and that he will ſpeedily come to a reſolution upon it.

The diſarming all Perſons unfit to keep Arms, his Majeſty doth not only approve of, but would be glad to have it paſſed into a Law, for your Grace's own reaſons and motives.

As for the great number of diſaffected Miniſters your Grace hath found your ſelf oblig'd to take

take up, whilſt the late Plot was on foot, his Majeſty is of Opinion you ſhould detain in ſeveral Priſons the moſt Seditious, and moſt Dangerous of them, and let the reſt go, upon ſecurity of their good behaviour; The former of which cannot be taken from you to the danger of the Publick ſervice, if, upon demanding their *Habeas Corpus*, their Priſons be changed.

Your Grace was not deceiv'd in foreſeeing the Offers would be made by Our ..... Men to ſend, by Bills of Exchange, the Money his Majeſty intends for *Ireland*, which he hath conſider'd of with my Lord Treaſurer, where the concluſion ſeem'd to be, to tranſmit the ſumm to you in *Specie*; The Queſtion was only whether in Foreign or Home Coyn, of the former of which his Majeſty is Provided, and is told you cannot have any ſo beneficial as the white Crowns, of which I am bid to ask your Grace the Value; others tell me, but perhaps with a proſpect to their Profit, that the ſaid Foreign Coyn may be in three Weeks time turn'd into our own, with Profit to his Majeſty and you too, which I ſay without order to you, only becauſe it ſeems to favour your own Opinion.

I am loath to charge my ſelf with relating to your Grace any thing of what hath paſſed in Our Houſe this Week, more than to tell you, I am ſorry for it, as I was for the occaſion, we have trouble enough naturally to make us uneaſy, we ought to be careful not to multiply the occaſions of it.

Since the *Portugue's* Victory in the Field, they have alſo retaken *Evora*, in which, as in the former, the Valour of Our Countrymen is exalted beyond what can be credibly told. I

leave your Grace for the News of the Court to other hands, which are ſtrong alſo, but as hard to be told.

I am, &c.

To the Duke of Ormond.

Whitehall 18*th July* 1663.

My Lord,

I Have your Grace's of the 10*th* Currant which I had leave to read Yeſterday in the preſence of his Majeſty, his Royal Highneſs, My Lord Chancellor, My Lord Treaſurer, and My Lord General, as I uſually do all your Grace's that are of Moment, and direct my Anſwers according to the diſcourſes held there upon them. His Majeſty longs very much to ſee the Bill concluded which your Grace promiſed, and by the deſcription you make of it, pleaſes him well; and as for the cautions you give to diſappoint the contracts betwixt Proprietors, and thoſe that make them believe they ſhall have credit to get them Places in the Bill, his Majeſty promiſed totally to diſcountenance that Traffick, and willingly to hearken to your Graces repreſentations from thence, in your qualifications of thoſe whoſe merit he ſhall deſire to recompence.

His Majeſty alſo continues ſtill in his purpoſe of ſending you over, firſt 500 Foot, for the conducting which, your Grace ſhall do well to ſend over what Officers you pleaſe, as alſo to ſignifie

ſignifie what Number you care to have of them from hence, which are here to ſpare. My Lord General concludes you may have Horſe there at half the price they will be bought here.

Looking over my Letters to your Grace, I did not find I offer'd you the 60000*l.* in Engliſh Coyn, but on the contrary, that his Majeſty would take it in *Specie* out of his reſerv'd Store in the *Tower*, which is in white French Crowns, of which I alſo asked the true value there; the reaſons of its delay is in expectation of My Lord of *Angleſea's* Arival, who wrote he had ſomething to propoſe upon it; And therefore his Majeſty would have no final Reſolution therein, till his Arival, which by your Grace we are to expect ſuddenly.

This unhappy attack of My Lord of *Briſtol* upon My Lord Chancellor, hath delay'd the receſs of the Parliament; and however it ends, will, I fear, be follow'd with ill accidents. His Majeſty deſires your Grace would enquire in the North of *Ireland* after one Coll. *Whaly*, a very ſeditious Man, and to have him ſecured.

I am, &c.

To the Lords of the Council of Ireland.

Whitehall 25th *July*. 1663.

My Lord,

UPon receipt of your Lordſhips Letter to me of the 25*th* paſt, concerning his Majeſty's Letter of the 21*th* of *Feb*. procur'd by Mr. Secretary *Morrice*, and directed to his Grace the Lord Lieutenant, for the receiving, and admitting in general, all ſuch Perſons to put in their Claims before his Majeſtie's Commiſſioners there, as his Grace, ſhould judg fit, notwithſtanding the time Limited by the Act of Parliament were elapſed. I have acquainted his Majeſty with your Lordſhips opinion there upon, who having heard your Lordſhips ſaid Letter read, and the reaſons upon their alledges in that matter, very well approves of your Lordſhips reſolutions; and hath accordingly commanded me to ſignify to you, that it is his Pleaſure, his ſaid Letter of the 21*th* of *Feb*. be wholly ſuſpended, and laid aſide; and hath given Order that the buſineſs of admiting Claims, ſhall contiune to proceed upon particular and diſtinct Orders, ſuited to the Particular accidents and emergencies, according as your Lordſhips have advis'd in your ſaid Letter, finding that the former was gain'd upon grounds ſeemingly equitable, tho' now by your Lordſhips found to be inconſiſtent with the Act of Settlement.

With this occaſion your Lordſhips will give me leave alſo to acknowledge the receipt of yours

of

of the 15th Inſtant concerning the Caſe between Coll. *Vernon*, and one *George King*, and of the ſaid *King*'s condition, as to Nocency or Innocency, which ſhall be made uſe of, and obſerv'd as there is occaſion in that matter, which is all I have to trouble your Lordſhips with at preſent.

I am, *&c.*

To the Duke of Ormond.

Whitehall Auguſt the 4th 1663.

My Lord,

I Have none of your Grace's to acknowledge except that wherein you deſir'd his Majeſty's further directions, which is thus Anſwered by his Majeſty's command; That your Grace, diſpoſing your ſeditious Miniſters into ſeveral Priſons, have a care, at their coming out upon ſecurity, and promiſe of good behaviour for the future, that they be reſtrained from coming into *England*, or paſſing over into *Scotland*, where not being known, it will be eaſier for them to diffuſe their ill and ſeditious Doctrines.

My Lord of *Angleſey* will, I ſuppoſe, give your Grace a full account of his Progreſs in your Inſtructions from thence, ſo I will not trouble you with any thing relating to them nor the Audiences he hath had in private.

Concerning the 1500 Foot your Grace formerly demanded, his Majeſty, reſuming the debate upon that point, bids me aſſure you, that

500

500 ſhall be preſently raiſed here, and for the reſt is perſwaded, that Purging the Companies there of ill affected, or ſuſpected Men, your Officers, if they be good, and ſuch as your Grace can rely upon, will very eaſily remit themſelves, and defray their Charge therein, by the ſuſpended pay of thoſe that are turn'd out, which, if they cannot effect there, his Majeſty ſuppoſeth your Grace will give them leave to come over, and do it here, and ſo make their Choice more to their own Satisfaction; the like, His Majeſty thinks you may do for the Horſemen, ſuppoſing Horſes, as we are inform'd, may be had there for half the Price they coſt here.

Our laſt Weeks news of the Queen's being with Child is vaniſhed. I hope God will give us at laſt what we have long wiſh'd for; his Majeſty intends her a ſecond Viſit to Morrow, and purpoſes to ſpend three whole days there.

The Letters Yeſterday from *France*, brought us the manner of that Kings poſſeſſing himſelf of *Avignon*, he offer'd in his own Parliament of *Provence* the 80000 Crowns in Gold, for which it was pawn'd many years ago by a Count of *Provence* to the Pope, and immediately went and took Poſſeſſion; The Nobility and Clergy already propoſe to receive his Majeſty's Troops; and the Vice Legat put into a Coach by violent intreaties to be carried to the Sea ſide, in order to his return, ſo the matter was peaceably ended. If the private Men could come by their right as eaſily as great Princes, no body would have cauſe to complain of the great delays, and charge of the Law. We ſuppoſe there is an end of all Treaties betwixt the Pope and his eldeſt

Son,

ſon, and that in appearance all Chriſtendom will be to morrow in a War again, if the Emperour be agreed with the *Turks*, as it is written. God keep our Peace in the mean time, and you in all content and happineſs.

I am, &c.

To the Duke of Ormond.

Whitehall Auguſt the 21th 1663.

My Lord,

HIs Majeſty ſaith he will himſelf give your Grace an account, of his purpoſe to diſſolve the Houſhold, or at leaſt, to ſuſpend the keeping it upon the ſcore it is now, till he finds himſelf a little more at eaſe in his Exchequer, and this is to take place at *Michaelmas* only, which gives ſome hopes it may yet be laid down; but, if I can judg any thing of his Majeſty's mind, he is like to ſtand to it; And the truth is, unleſs he cuts off other Expences too beſides this, the Government will not be able to ſtand long, ſo far does the expence exceed the Income, and little likelihood appears of there being any addition or improvement of it. Diſcourſing this matter further, his Majeſty hath fallen into the hopes that this will give him a good opportunity of reforming the method of his Houſhold, at the ſetting it up again; And becauſe this cannot be done without giving many Servants below Stairs Board wages, his Majeſty hath thought, that,

at once, it will be cheaper to him to give every Man back again that Money he paid for his place; to which purpoſe he hath commanded me, in the preſence of his Royal Highneſs, my Lord Chancellor, my Lord Treaſurer, and my Lord General, to ask your Grace whether you can ſend over hither a liſt of the Moneys, which, according to Cuſtom, were given for the Places below Stairs, that they who are cut off at the next Eſtabliſhment, may receive their Moneys again for the Places they loſe.

I have received your Grace's of the 15*th* Currant, but have yet wanted Opportunity of knowing his Majeſty's Pleaſure upon ſome points of it.

My Lord Chancellor is gone into the Country, and the King and Queen do the like on *Wedneſday*.

In a former, I told your Grace how *Granger* was loſt by Mr. *Moor*'s will or careleſneſs, for which reaſon, his Majeſty bad me lay up the ſaid *Moor* till *Granger* was found, but he appears not here. Some ſay he is gone into *Ireland*, if ſo, it is his Majeſty's Pleaſure that he be made a Priſoner, As for *Granger*, a Correſpondent of mine Writes me word, he was ſeen at *Middleburgh*.

I will not entertain your Grace with any thing Particularly entruſted to My Lord *Angleſey* concerning *Ireland*, becauſe I ſuppoſe, his Lordſhip does it with all punctuallity, he having little other buſineſs upon his Hands.

I am, *&c.*

To

To the Duke of Ormond.

Whitehall October the 10*th* 1663.

My Lord,

I Am ſorry to underſtand from your Grace of the laſt Current from *Kilkenny*, that you neither met with the Pleaſure, or health you promis'd your ſelf from the Country Air; things are rarely found where they are ſought, and chance helps thoſe that are lucky more then deſign, how well ſoever laid; of which number your Grace certainly is.

When your Grace comes to *Dublin*, for the amendment of the great Bill, which is not yet ready for our Debate here, becauſe it was this laſt Week only put by the form of the Council into Mr. Sollicitor's hand; When the heads of it are extracted, your Grace's Additions come, and the Commiſſioners here to Anſwer all his Majeſty's Queſtions, which he continues very much to deſire; then the queſtion will be pertinently moved, whether the Commiſſioners period of judging was at the ſocond of *July*, or continued as long as they effectually ſate, and ſuppoſed they were warranted to do ſo, And by that time your Grace will have conſider'd again, whether your Lawyers or Ours are propereſt to determine that point.

In your Grace's aforeſaid Letter, I receiv'd the Copy of that My Lord General wrote to you, together with your anſwer to it, concerning the levy of 500 Men; of which ſpeaking to My Lord General, he ſhewed me your Grace had

had miſtaken him, and bid me look in his Letter, where he calls them Recruits and not Companies, aſſuring me farther, you will have no more Officers with the Men than are preciſely neceſſary for their conduct, nor be under any farther Obligation of keeping thoſe few with you, than you pleaſe your ſelf, Captain *Beverſham* only excepted.

I ſay nothing to your Grace of his Majeſty's perſeverance in the reduction of his houſe keeping, nor the method in which it is to ſtand, becauſe I ſuppoſe the Officers of the Green-Cloth do that.

Mr. *Oneile*, after having conſulted Mr. Attorney, and Mr. Sollicitor, and received their poſitive opinion, that *Bathurſt* was a Deputy only of Biſhops, and Conſequently to be laid aſide if Mr. *Oneile* pleaſes, hath obtain'd his Majeſty's ſecond Command for the ſettlement and aſſiſtances of his Deputy Mr. *Robert Ward* in the ſaid Poſt Office; and I am beſides commanded by his Majeſty to ſignify his Pleaſure therein to your Grace in this my Letter.

His Majeſty likewiſe promiſes to ſend me down a Letter in his own hand in favour of My Lord *Fitzharding*, who promiſeth himſelf much from your Grace's favour, and I expect alſo the fruit of your Grace's goodneſs to me, on my own behalf, when you ſhall have concerted ſomething with My Lord *Orrery*, which I pretend to only Proviſionally, in Caſe my buſineſs of My Lord *Clemanlerys* Eſtate come to nothing.

We are hourly expecting what our Allarm will ſignify out of the North, On the 12*th* or 15*th*, we were without any great apprehenſion from it, the County being in a greater readyneſs to pre-

prevent the diſorders than perhaps were to be wiſh'd; but it being the effect of their own care, rather then his Majeſty's Commands it is the leſs to be cenſur'd.

I am, &c.

To my Lord Duke of Buckingham.

Whitehall 14th October 1663.

My Lord,

SOme hours after my Lord General ſhewed his Majeſty this Morning your Grace's of the 11*th*, I receiv'd about three in the Afternoon your freſher of the 12*th*, wherein was one enclos'd to his Majeſty, giving a further account of the continuance of the Allarm, and the Reſolutions your Grace had taken to march into the Weſt Riding, with the Troops of Horſe and Foot of his Majeſty's Guard, there to be joined with the Militia, for the prevention of the Riſing in that part, where that danger is moſt apprehended, leaving in *York* the Militia Regiment of Foot, and a Volunteer Regiment of Foot belonging to that City, which his Majeſty approves very well of; but wiſhes you to hearken well after the City of *York*, and any other ſtrong Place, to which the diſaffected Perſons may reſort to unite themſelves; but we hope after ſuch preparations they will be deterred from giving us or you any trouble: and this opinion prevailing with his Majeſty, he doth not yet think fit to ſend your Grace any new Orders,

Orders, and ſo much leſs the Commiſſion you deſire for a Regiment of Horſe, for fear of diſturbing the method you are in in the Countrey, which is conceiv'd ſufficient, according to all our Intelligence, for this occaſion.

Your Grace knowing the badneſs of my hand, will eaſily forgive me for making uſe of a better, in which I alſo write to Collonel *Frecheville* and Sir *Tho. Gowre*, referring them in all things to your Grace.

The Queens Feaver yet continues upon her, tho' ſhe reſted laſt Night very well, without any help of Cordials. Whatever your Allarms be in the Countrey, the City hath no trouble but the Queen's ſickneſs.

To this his Majeſty Commands me to add his thanks to your Grace, for your exceeding Care in his Service, aſſuring you there neither are nor ſhall be any ill Offices done you, to prejudice the good opinion he hath of your affection to him and it; to which I have only to join my moſt ſincere profeſſion of being with all truth and reſpect.

Yours &c.

To the Duke of Ormond.

Whitehall 17th October 1663.

My Lord,

THo' we have no Letters from your Grace, yet we have very ill news to tell you; the Queen grows worſe and worſe, ſhe reſted very ill

ill laſt Night; and this Morning the King coming to ſee her, told him ſhe did not hope to live, but willingly left the World, except himſelf, and many other very kind things of this nature, which hath infinitely afflicted his Majeſty to day; ſhe is now this Evening much weaker, and the Phyſicians give us but faint hopes of her Recovery, which hath put the Court into much ſadneſs, to morrow is a very critical day with her; and by the next we ſhall either ſend you word that ſhe is dead, or in a way of Recovery, God's will be done.

The Allarms are not yet ceaſed in the North, but the Countrey hath ſo readily, and cheerfully put it ſelf into a Poſture of Preventing any trouble, that we fear little of that kind; beſides, all our Intelligence in the City aſſures us, that the diſaffected Party here is very quiet, and tho' they may wiſh well to their Friends in the Countrey, yet they do not ſeem to be in any Diſpoſition of ſeconding them by any ſtirs here, but apprehend they do very raſhly expoſe themſelves, and will only give occaſion to ſharpen the perſecution againſt them.

Our new Surveyor of the Preſs hath been very ſucceſsful in his Enquiry into the ſeditious Books that have been lately printed amongſt us, and amongſt other ſuch malitious Papers, hath found one with this Title, *Murder will out*, accompanyed with a Preamble, ſaying the King hath accuſed his Father, to clear my Lord of *Antrim*, and follows with his Majeſty's Letter to your Grace, enjoining the Commiſſioners to declare my Lord *Antrim* Innocent. It were worth your Grace's pains to have it enquir'd whether it were printed there; at leaſt 'tis certain the In-

ſtruction and Compoſure of it came from thence.
I am, &c.

To the Duke *of* Buckingham.

Whitehal 17*th October* 1663.

My Lord,

MY laſt acknowledged your Grace's of the 12*th* ſince when we have receiv'd nothing from you; one from Sir *Tho. Gowre* of the 14*th* told us your Grace was abroad making all the Prevention, that was fit, againſt any trouble that was intended, the Allarms yet continuing in thoſe parts, which have diffuſed themſelves through the whole Kingdom, every Body expecting what will follow them, but nothing appears in any part of it; all our Intelligence of the City aſſures us, they are in no diſpoſition to contribute to any preſent trouble, which we hope will not befal you neither, if any thing appears, his Majeſty bids me encourage you to be very ſevere with the beginners, and to be confident that you ſhall be avowed therein, which he ſaith is all the directions he can give you, till he hears more from you; we eaſily ſuppoſe your not writing in all this time, proceeds from the uncertainty and Obſcurity in which things are, together with your being abroad, and, by what is told us, in continual motion, however when there is occaſion, I beſeech your Grace not to omit it.

The condition of the Queen is much worſe, and the Phyſicians give us but little hopes of her Recovery; by the next you will hear ſhe is either in a fair way to it, or dead; to Morrow is a very

a very Critical day with her, God's will be done.

The King coming to ſee her the Morning, ſhe told him ſhe willingly left all the World but him, which hath very much afflicted his Majeſty, and all the Court with him. I have nothing to add to this bad News but my being with all reſpect. Yours, &c.

To the Duke of Buckingham.

Whitehal 20th October 1663.

My Lord,

I Receiv'd not till this day at Noon your Grace's of the *17th Auguſt.* tho' the other Letters from thoſe parts of the ſame date were deliver'd me the laſt Night. In yours, beſides the Informations and Letters from ſeveral Gentlemen of the Country, was one for his Majeſty, in all which he perceives your Grace's Extraordinary care and diligence hath hindred the diſaffected Party from drawing to ſuch a head as might have endanger'd the quiet of thoſe Countries, for which in his time he will give you the thanks that are due to ſuch ſervice; it will not be good manners in me to anticipate any part of them.

That which his Majeſty now recommends eſpecially to your Grace, ſince the danger ſeems to be over for the preſent, is, in the firſt place that you cauſe the Militia of the County to return home to their Houſes, that they may no longer be harraſſed and troubled with being abroad, reducing them that continue in duty only to that method and rule which is preſcrib'd in

the late additional Act for the Militia, and recommended by a particular Order from my Lords of the Council, ſuppoſing always that the danger is over; if it be not, your Grace will think fit to proceed as the occaſion ſhall ſuggeſt, and his Majeſty directed you when you went from hence.

In the next place his Majeſty deſires your Grace ſhould proceed with the aſſiſtance of the High Sheriff, and Deputy Lieutenants, to cauſe ſtrict Examination to be made of all Perſons whom you know or ſuſpect to be guilty or contributing to the intended riſing, that they may be puniſhed by ſuch Ordinary or Extraordinary courſe of Law, as his Majeſty ſhall appoint, and they ſhall appear to have deſerved: The Originals of which Examinations, your Grace may pleaſe to cauſe to be ſent up hither by an expreſs, or Copies of them if they come by the Ordinary Poſt.

After all this, how certain ſoever we morally are of the intended riſing, of which we had many concurring informations here from ſeveral hands that could not conſpire to abuſe us, it is very poſſible you may not be able to produce ſuch convincing Proofs as will come home to the enquiry of the Law. We our ſelves know how many deſigns of this nature were ſet on foot in the times of the Uſurper, which could not be made puniſhable, even by their Extrajudicial Proceedings, which I ſay for the qualification of the ſecond point; tho', upon the whole matter, it will conduce much to his Majeſty's Service, that what can be made clear, may be made ſo; not only to vindicate us from the Malice that may propably accuſe us of having been affraid without

out cauſe, but alſo keep the Country in a diſpoſition to ſecure themſelves, and the publick, when e'er they ſhall be called upon again, which for my part, I look will befal us often.

I am thus particular with your Grace, becauſe I ſhall refer by his Majeſty's Command, the high Sheriff, and others intruſted there for the quiet of the Country, to your Grace's directions, for this end what I write here put in Execution.

Since my laſt the Queen's Feaver looks leſs dangerous, tho' the Phyſicians are not yet without apprehenſions of her. Her Ordinary Feaver continues ſtill, but the Violence of the fits are, God be thanked, much abated, and ſhe ſleeps better. This is the great and only buſineſs which keeps his Majeſty unquiet. I am, *&c.*

To the Duke of Buckingham.

Whitehal 24th October 1663.

My Lord,

THis Morning early I receiv'd yourGrace's of the 22*d* which I immediately ſhew'd his Majeſty, who will make that uſe he ought to do of the warning you give him therein; and about four a Clock this Evening Col. *Pudſey* arriv'd with your Grace's longer diſpatch of the 21*th* and immediately his Majeſty called hither his Royal Highneſs, the Duke of *Albemarle*, and my Lord Chancellor, and in their preſence, commanded me to read your Grace's Letters, and the Examinations incloſed in them of the Priſoners; moſt of which relating only what they

ſaid to one another, without being able to give accompt of the bottom and ſource of this deſign, his Majeſty's preſent order upon it is, that your Grace ſend with all convenient ſpeed hither Mr. *Walters*, Coronet *Denham*, and *Charles Carr* of *Pannell*, under good Guards, but ſeperate, ſo as they may have no communication one with another. As for Mr. *Walters*, what he confeſſes is of a higher nature than what was likely to be imparted to the reſt, and is judged fit for his Majeſty's particular enquiry into; In which, that he may be ingenuous, and more particular than he hath yet been, his Majeſty gives your Grace leave to aſſure him, that he ſhall have the Pardon you promis'd to procure him, if he will purſue to diſcover it, and take a great care that your Grace's word be not violated, having an intire and perfect ſatisfaction in your Carriage and Management of this whole matter, of which he promiſes ſpeedily to give you a particular aſſurance under his own hand; moreover deſiring that whilſt theſe Priſoners are coming up hither, your Grace will purſue your diligent Enquiry into what you may farther diſcover of this whole matter, by queſtioning new perſons upon it, as you ſhall ſee cauſe, and cauſing thoſe very Men you detain there, to be reexamin'd, for a fuller and more intire diſcovery of the whole.

His Majeſty likewiſe commands me to write to the High Sheriff, to ſend up alſo by other hands Major *Greathead*, as he will acquaint you. Upon the whole matter his Majeſty deſires you would be ſtill careful of the Peace of that Country, by appointing the continuance of Guards in thoſe places you ſhall judge to need them; which is all he hath commanded me to ſignify of his pleaſure to you for the preſent. I have

I have written ſeveral Letters to your Grace ſince you went, but yours do not acknowledg the receipt of any of them; mine, beſides what have been in anſwer to yours, have contained nothing but the Queen's great indiſpoſition, which hath given us great Allarms and grief; two days ago the Phyſicians concluded her dying, but Yeſterday and this day ſhe hath been, God be thanked, ſomething better, tho' not ſo as to take away our fears and apprehenſions for her.

The King, upon your Grace's recommendation hath received Collonel *Pudſey* very kindly, and I have promiſed upon the ſame reaſon, to ſerve him the beſt I can, which is all I have to ſay at preſent, more than to aſſure yon of my being with a moſt perfect truth and reſpect.

Yours, &c.

P. S. My Lord General thinks he hath ſome more than ordinary credit with *Smithſon*, and therefore hath ſent for him up hither, aſſuring himſelf that he will tell him freely what he knows.

To the Duke of Ormond.

Whitehal 27th October 1663.

My Lord,

THis Week I have receiv'd two from your Grace, one of them in your own hand, very obliging to me in my own particular; according to which I will ſee what words I can lay together proper for your requeſt, and ſubmit them after-

wards to your Graces Amendment and Protection. The other was in a Secretarie's hand relating to many particulars which I have read over this Evening to his Majeſty.

The Liſt of ſix Letters ſent me this Poſt by Sir *George Lane*, which your Grace deſires may either be return'd ſign'd to you, or the reaſon of their ſtop ſignified, was one of thoſe particulars. Four of the ſaid Letters were ſent ſign'd from the *Bath*. The 5*th* concerning my Lord of *Inchiquin* and *Mount-Alexanders* Creation Money never came hither to our remembrance; The 6*th* for the giving 300 *l. per Annum* to Sir *Thomas Wharton*, in conſideration of ſome arrears due to him during the troubles, was ſtopt by his Majeſty himſelf; firſt for the general ſtop, which his Majeſty, at your Grace's intreaty conſented to many Months ago; and next, for that his Majeſty ſaid he found it ſtrange to pay arrears for ſervice there, when he could not ſatisfy Debts of lent Money here.

His Majeſty ſtill ſtops the Debates concerning the great Bill, becauſe the omiſſion and amendments in it are not yet come from your Grace, and not becauſe Collonel *Talbot* deſir'd it.

The information given of your Grace's allowing your ſelf, or rather being preſent whilſt it was made you, of 2 *l. per diem*, came from the *Greencloth*, which is ſtopt now, as all the reſt, and no otherwiſe. I ſuppoſe the ſame Officers give your Grace a particular relation of the method, in which the Houſhold runs now; ſo I do not trouble you with the Repetition of it in my Letters, in one of which, if I am not miſtaken, I told your Grace, that both Sir *William Foreman*, and Mr. *Fox* deny'd to know any thing

of

of the money given for the Places Below-Stairs; ſo that I ſhould be glad to be inſtructed how I ſhall anſwer that Queſtion if it be asked me again.

When the new Letter comes in favour of my Lord *Mount-Alexander*'s Family, His Majeſty ſaith he will willingly conſent to any thing you ſhall think fit to propoſe to him for their Qualification; and as for diſpoſal of the place of Maſter of the Ordinance, his Majeſty ſaith he is deſirous to gratify Sir *Robert Biron* with it.

I am ſorry to hear your Grace except againſt the form, in which the Commiſſioners laſt leave to come over was ſent. In the firſt place his Majeſty did very expreſly and earneſtly deſire they ſhould come with the next; I am much miſtaken if they were oblig'd in that form to receive your Grace's approbation for their coming, and laſtly, by themſelves and others we were aſſur'd they have for the preſent nothing to do there, their Eſtates and Relations being all here.

The new information of another Coiner diſcovered there, ſhall be diſpoſed of as all the reſt were by his Majeſty's Commands to my Lord Chief Juſtice *Bridgeman*, who hath had the care committed to him of making Enquiry into many others of this Kingdom guilty of the ſame Crime.

I have read over Mr. *Moor*'s relation concerning *Granger*'s Eſcape, notwithſtanding which, his Majeſty perſiſts in the opinion of the neceſſity of having the ſaid *Moor* committed to Priſon, till he brings back *Granger*, ſince he Voluntarily charged himſelf with him, and hath had Letters from him ſince his Eſcape, and if *Granger* may be believ'd, He can diſcover a part of that King-

dom

dom, given to Soldiers upon falſe Debentures, as would infinitely improve the Stock for repri-zals ſet apart in this new Bill, to the value as he ſaid himſelf of 100000 *l*, and in his Letter to me ſince his abſence ſaith, ſo he may be ſecur'd from my Lord *Gerard*'s moleſtation, he will either appear himſelf, or put into my hands the means of decyphering his Papers, and of expoſing thoſe Forgeries. Your Grace may Judge by this what it would be worth to you to have Mr. *Moor* produce the ſaid *Granger*, and to what degree he is faulty if he does not.

This is all I am able to ſay to your Grace in anſwer to your Letters, to which I am to add, that Mr. Sollicitor's ſickneſs is the cauſe of the not bringing to the Council thoſe Bills which you tranſmitted hither, and that Yeſterday his Majeſty heard read in Council the Letter from the Council there, in return of what he had written to you in favour of my Lord of *Antrim*, which were all alſo read together, with the Adventurers and Soldiers Petition, charging the ſaid Lord, which the Council of *Ireland*'s Letter alſo doth, with greater Crimes than his Majeſty conceived him guilty of. Upon which he concludes it is fit the whole matter ſhould have a new review, and the Commiſſioners coming hither being heard, his Majeſty ſaith he will take a final determination in it. The inclos'd Paper for Mr. *Harvey*'s Friends was given me this Day, and conceiving it fit for your Grace's ſight, I therefore ſend it to you.

I have omitted hitherto to make any formal Anſwer to your Grace and the Council there, according to thoſe Letters you ſent with the Bills now in our hands, becauſe they have not

yet

yet been brought to the Council here; which I ſay now in Anſwer to my Lord of *Angleſey's* Inſtances the other day, that ſome Anſwer might be made upon them; in which matter conferring with his Lordſhip ſince, I have let him ſee that the delay cannot be imputed to me.

Since my laſt the Queen, God be thanked, mends every Day, ſo that our fear is much abated. The fits are very remiſs or none at all, and her ſelf much perſwaded ſhe ſhall Live, and very deſirous to do ſo: That which troubles us moſt beſides her weakneſs, are her great Vomitings, which Phyſicians tell us are uſual after ſuch a Sickneſs, which is all our hope.

I am, *&c.*

To the Lord Orrery.

Whitehal 27th October 1663.

My Lord,

I Deferr'd acknowledging the honour and favor of your Lordſhip's of the *9th*, till I had heard from his Grace, ſomething, according to what you write to me, in my own concernments, which is come to me by this Poſt, wherein he tells me, that upon my ſending him the draught of a Letter to the effect you propos'd to him, he will encloſe it in one of his own to his Majeſty, and this in terms ſo Obliging to me, that I cannot but thank your Lordſhip for them. I have promis'd to ſend the ſaid draught of a Letter, but being ſo Intirely my own concernment, I confeſs ingennouſly to your Lordſhip, I ſuſpect much

much my own Power over my ſelf in it. If you who have ſuggeſted the matter, would alſo be pleas'd to add the form, you would ſave me the pains of a great conteſt with my ſelf, in which I much ſuſpect my ſucceſs, eſpecially whilſt I have another expectation depending, tho' God knows, an uncertain one; this will deſerve a very large Apology, but being to one who knows how to oblige ſo generouſly, I think it better to forbear it, and will not leſſen the Courteſy by over much asking it; beſides, I would fain ſecure it in your Lordſhip's Power to refuſe me, if it be an unreaſonable requeſt. My Lord Lieutenant's amendments to the great Bill are not yet come over, for nothing is done in it.

The declaring my Lord of *Antrim*'s Innocence having made ſo great a Noiſe, his Majeſty hath thought his caſe deſerv'd a new review, ſo that Yeſterday he had the Patience to hear read over to him in Council the Letter which he wrote into *Ireland* in his favour, with the Council of *Ireland*'s reply to it, and the Adventurers and Soldiers Petition againſt the ſaid Lord exhibited to the ſaid Council, when the Commiſſioners arrive who are ſaid to be landed, his Majeſty means to hear alſo what they can ſay upon the matter, and that being done, will take a final determination in it.

Theſe few Days paſt have given the Queen a conſiderable amendment in her Health, ſo that we are almoſt out of all apprehenſion for her.

The great Allarm we had of late, ended in a weak attempt of the diſcontented Party in the North to riſe, in which they were much diſcourag'd by the preparations of the Country to ſuppreſs them. Many of them are taken, and

have

have confeſs'd enough to hang one another; thus your Lordſhip hath all our News, to which I am to add the ſatisfaction his Majeſty receives in your continued profeſſions of Zeal and Affection to his Service; for what you ſay and do to my ſelf, I have no words fit to pay you, So that I muſt receive that debt, till my good Fortune furniſhes me with ſome occaſions, wherein I may more really manifeſt to your Lordſhip the truth and reſpect whetewith I am, and ever will be. Yours, &c.

To the Duke of Buckingham.

Whitehal October 31th 1663.

My Lord,

I Have receiv'd your Grace's of the 24*th* and 28*th* Inſtant in the latter was one to his Majeſty, in anſwer to which, I am commanded to let your Grace know, that his Majeſty perſiſts ſtill in his will of having the Priſoners ſent up, Major *Greathead* in the manner I propos'd to the Sheriff; and the reſt in the manner following. *Walter's*, *Carr*, and *Denham* to be deliver'd into the hands of a careful Officer, who, with a dozen Troopers may bring them to *Newark*, where on this day Sennight, being *Saturday*, as many more with an Officer, ſhall by my Lord Generals Appointment meet them, and take them into his Care. As for *Oats*, it is ſuppoſed he hath confeſſed all he can already; but if your Grace thinks it of uſe, you may alſo ſend him. This you may be pleas'd to know, that after they have been examin'd here, his Majeſty purpoſes to ſend them back again to *York*, to be tryed by a Commiſſion of *Oyer* and *Terminer* there. As for *Stockdale*, he hath been repreſented to his Majeſty as a very Republican, ſo that, if upon examination, he be found to have been privy to the intended Riſing, it is his Majeſty's Pleaſure that he be alſo ſecur'd.

As to the Expence of Expreſſes, and other extraordinary occaſions, which your Grace deſires may be ſatisfyed out of Moneys in the High Sheriffs hands, his Majeſty ſaith he will make it good himſelf out of the Exchequer; and I charge my ſelf with getting your Grace a Privy Seal accordingly for it.

As

As to the Power your Grace asketh of his Majeſty to ſend for Perſons to be examin'd out of your own Lieutenancy, his Majeſty bids you make no ſcruple of it. If afterwards it ſhall appear neceſſary that your Grace have a more Authentick Authority for this, upon your intimation, it ſhall be ſent you.

His Majeſty approves of your Grace's method for the eaſe of the Foot Company there, in appointing one of the train'd Bands Companies to take their turn upon the Guard, and deſires you would husband as well as you can the remaining limited time for the Duty of your Militia, which hapning to expire, it would be fit to think of new Expedients for the ſecurity of the Country, which your Grace would do well, taking the advice of the Gentry there, to think of, and after propoſe it to his Majeſty, who is intirely ſatisfyed of your Grace's abundant Care in his Service, and the Quiet of the Country.

The Queen is ſtrangely well recover'd, God be thanked, and in the opinion of the Phyſicians, out of all danger. I have no more to add but my moſt humble reſpects and good wiſhes to your Grace for all Health and Happineſs to you as,

Yours, &c.

To the ſame.

October 31ſt 1663.

My Lord,

THe other was writ in the Morning, before his Majeſty or my ſelf had receiv'd from Mr. *Paulden* your Grace's of the 29*th*, wherein the confeſſion was encloſ'd, which his Majeſty hath read carefully over, much eſteeming your Grace's Care to tranſmit it with that expedition hither, and ſaid poſſitively he would write to you in his own hand this night to thank you; but the time paſſes, ſo that I ſuppoſe you muſt exſpect that ſatisfaction by the next.

If my Lord General writes to your Grace by this Poſt, he puts you in mind again of ſending *Smithſon* to him, as alſo a diſtinction which ought to be made amongſt thoſe in your parts, which have ſerved againſt his Majeſty, part of which, and thoſe the worſt, are thoſe who were with *Lambert*, oppos'd vigorouſly the King's Government, and

Reeſtabliſh

Reeſtabliſhment, in fine, ſuch as never had any part in his Service; the other, and thoſe the better, are ſuch as his Majeſty found in the Army at his return, who follow'd the General when he Proclaim'd the King, and at their disbanding look the Oaths of Alleagiance and Supremacy; and of thoſe latter the General is perſuaded your Grace finds few engaged in the deſign, and deſires they may not be promiſcuouſly involv'd with the others in the ſeverities they will deſerve.

The King deſires your Grace would cauſe the examinations of all Suſpected Perſons to be continued; and even of thoſe he ſends for up, as long as they are in your hands; and that you would ſucceſſively uſe threats and promiſes towards them for the utmoſt diſcovery of what they know. Mr, *Nevill* hath been before me, but denys flatly to have had any direct or indirect knowledge of this matter; and ſo deſires to ſtand or fall in his Majeſties opinion, as this is true in a few days we ſhall have *Salway* and *Hutchinſon*; if your Grace can furniſh us any Queſtions for them, they ſhall be apply'd.

I moſt infinitely applaud your Grace's punctuality in writing, but complain at the ſame time you do not acknowledge one of mine. I have no more to add but my being with all reſpect. Yours, &c.

To the Duke of Ormond.

Whitehal 3d Nov. 1663.

My Lord,

I Have receiv'd this day from your Grace yours of the 22*d* and 27*th* paſt, as alſo a third by *Sir Thomas Clarges*, together with the two Papers of amendments to the great Bill, the one containing the amendments by themſelves, the other the Application of them to the Bill as they run together with it, which I ſhall take his Majeſty's order to diſpoſe of, and likewiſe by my next, give your Grace an account of his Majeſty's mind in the ſeveral particulars expreſs'd in the two former Letters.

The Priſoners in the North are ſtill under Examination, ſome of them are ſent up hither; upon the whole matter we find the grounds of the Plot further laid than we conceiv'd

ceiv'd at firſt, and I believe in the Concluſion we ſhall find it to be a remnant of that Plot, which your Grace diſturb'd in *Ireland* the laſt Spring.

The Queen's health returns apace to her, but her ſtrength is not yet ſo good as her heart and Courage, my Lord *Lauderdaile* came laſt Night hither; the great things that are done in *Scotland*, the Vindication of his Majeſty's Authority in all points, have made him very welcome to thoſe that cared not much for him before. I confeſs ingenuouſly for my part he has converted me; which I am glad to be, ſo 'tis to his Majeſty's advantage.

I am, &c.

To the Duke of Buckingham.

Whitehal 5th Nov. 1663.

My Lord,

I Defer'd the laſt Poſt acknowledging your Grace's of the 28*th* paſt, (wherein was a liſt of Perſons, againſt whom you deſir'd his Majeſty ſhould Iſſue his Proclamation,) becauſe the ſaid Proclamation was not then ready, neither is it yet, but promiſe it ſhall be ſo by the next. Alſo I expected a Letter from his Majeſty in his own hand to your ſelf, which he hath not time this Evening to Write as he promiſed.

Before this time I ſuppoſe your Grace hath ſent up the Priſoners deſir'd; We have here in the Tower *Nevil*, *Salway*, and *Hutchinſon*, the two former I have Examin'd, but got nothing from them, except large Proteſtations of their Innocency, by what I hear of the latter, I ſuppoſe I ſhall have the like when he is brought to me.

I have not yet his Majeſty's leave for your ſetting at liberty ſome of the Priſoners, who promiſe to be inſtrumental in taking others; by the next you ſhall know his Pleaſure in it.

I am, &c.

To the Duke of Ormond.

White-Hall, November 7th. 63.

My Lord,

IN my laſt I acknowledged your Graces of the 22*d.* and 27*th.* Paſt, which I have ſince had the opportunity to read to his Majeſty.

When his Majeſty ſhall ſee the new Eſtabliſhment, which my Lord *Angleſey* tells me he hath in his hands, his Majeſty will then tell your Grace his opinion of it; in the mean time he ſays he is glad you have found a Place to fix the Pay of the Royal Regiment upon.

His Majeſty ſaith no body hath moved him for the Indemnity or Confiſcation of *Boyde* the Merchant; he leaves it to your Grace to do what you think fit for the benefit of his Service in the matter you propoſe.

No time will be loſt towards the debate of the great Bill, his Majeſty being ſatisfied now, how much it imports his Service to have it diſpatched: He will hear patiently all Parties, and he promiſes, with much more attention than he hath hitherto given to that matter, being troubled to ſee it ſo often returned to his hands; and this Evening he bad me tell your Grace, he infinitely deſires to have Sir *William Dumville* here, to have his opinion upon that great Affair; and accordingly he bids me ſignify to your Grace his Pleaſure to have

him preſently ſent over, if he can be ſpared from thence; which lies in your hands to reſolve as you ſhall think fit.

Mr. Sollicitor being well, his Majeſty reſolves to loſe no more time in the diſpatch of the other Bills for *Ireland*; three of which I ſend with this, not anſwering for the form, by which they are ſent to you, tho' I have not cauſe to ſuſpect that they are wanting of any. If I prove faulty in not accompanying them with a Letter to the Council, I beg your Grace to make my excuſe, ſince I forbear it, ſuppoſing they are more properly directed to you.

The Commiſſioners are arriv'd, and have been kindly received by his Majeſty. To which I have no more to add at preſent, but my being with all reſpect,

Yours, &c.

TO

To the Duke of Buckingham.

10th. *November*, 63.

My Lord,

SInce my laſt to your Grace, his Majeſty hath received one from you of the 6th. in favour of Sir *Thomas Strickland*, and Sir *Jordan Croſſeland*, who both communicated their requeſt to me: His Majeſty anſwered upon it, that he remembred very well all their good Services to him, and particularly thoſe mentioned by your Grace, and ſhewed a great diſpoſition to gratify them in what they deſire, which I will take care to improve into a firm Promiſe, as ſoon as there is time for it. In the mean time I got this general one from his Majeſty, that he will apply all the Confiſcations that ſhall fall upon this deſign in the North, to the Gentlemen only of that Country, eſpecially thoſe, who have been inſtrumental in the diſcovery of it: And this I beſeech your Grace to let the ſaid Sir *Thomas Strickland*, and Sir *Jordan Croſſeland* know, that they may be ſatisfied I have, and will be concern'd for them in this matter, with all ſincerity and affection.

I alſo receiv'd your Graces of the 7th. wherein you tell me of the taking of *Stockdale*, and the advantages you have upon him, which I am very glad of, for the Reputation he has of being an Errant Republican. His Majeſty alſo

read what you ſay in the ſame Letter of Mr. *Harford*, and his Sawcy Seditious Diſcourſe, which his Majeſty threatens he will reſent upon him; and that he may do it with ſufficient ground, deſires your Grace will ſend the ſaid Diſcourſe atteſted hither by ſome Gentlemen of the County, in whoſe preſence he ſeems to have held it.

This night his Majeſty hath ſign'd the *Proclamation*, ſo that by the next without fail it ſhall be ſent.

Yeſterday I alſo read the Examination, and Informations of *Walters* and *Carr*, who I ſuppoſe will be quickly here, by the care you have taken for their Conveyance to *Newark*, where another Party, by my Lord Generals appointment will certainly meet them. I have nothing to add, but that

I am, &c.

TO

To the Duke of Ormond.

17th. *November*, 63.

My Lord,

YEſterday the great Bill of *Ireland* was read, and after it Sir *Nicholas Plunket* admitted to offer what he had to ſay in favour of thoſe that ſent him, which was not much; Mr. Solicitor having, as he confeſs'd, anticipated the moſt part of it, in his ingenious and fair Expoſition of the Bill. Notwithſtanding the ſaid Sir *Nicholas* deliver'd in his Paper, which is to be read on *Munday* or *Friday* next, when the whole matter will be reſumed again. The Adventurers alſo had their Petition read, of which I do as little offer your Grace an Account, becauſe you cannot fail of it from thoſe that are more concern'd in the acquainting you with it, as alſo what the opinions are of the Bill, which furniſh'd no ſmall matter of Diſcourſe amongſt Us; but your Grace having ſaid nothing to me thereupon but in form, I ſuppoſe you do not care I ſhould anſwer you otherwiſe.

In the Interval of the laſt Councils concerning *Ireland*, the Committee met that was appointed to conſider of the Bills referr'd to them, whereof the alterations will be offer'd to the Council, of which I ſhall in due time advertiſe your Grace.

My Ld. of *Canterbury* ſends me word, that he underſtands there are ſome endeavours to obtain of his Majeſty the application of ſome impropriations to Lay men, which his Grace underſtood his Majeſty had purpos'd ſhould return to the Church; if there be any ſuch direction to your Grace, I humbly deſire you will be pleaſed to ſuſpend the Execution of it, till his Majeſty ſhall be pleas'd to declare himſelf more expreſly upon my Lord of *Canterbury*'s Remonſtrance therein. I have no more to add, but that I am with all reſpect

Yours, &c.

To the Duke of Ormond.

White-Hall, November 24th. 63.

My Lord,

I Know it is a part of my duty to his Majeſty to write frequently to your Grace, how ſmall ſoever the occaſions be for it, and therefore I continue to do ſo, omitting very few Poſt-days without knowing ſo much, as that my Letters are receiv'd.

His

His Majeſty hath now heard all ſides in Council that are qualified, either by your Graces Recommendation, or their own Concernments to ſpeak to the Bill, and in the next place hath warned the Commiſſioners to expoſe to him on *Munday* next, the day fixed for thoſe affairs only, not only the difficulties which have occur'd and hindred the proſecution of the *Act of Settlement*, but what they think in their Judgments is fit to be further done upon that foot, and the final quiet of that Kingdom, which is all that hath yet offer'd it ſelf worthy of your Graces knowledge, unleſs I ſhould trouble you with the diſcourſes of the Court and Town, which is fitter matter for other mens private Letters.

In our publick affairs here, that which his Majeſty intends next is the ſending a Commiſſion of *Oyer* and *Terminer*, to try thoſe who have been Guilty of the late intended Inſurrection in the North, which all, who have been acquainted with the Examinations of the Priſoners, or converſant in thoſe Parts, do believe extended it ſelf much farther than the *North*; and I think it were not amiſs your Grace cauſed the Examinations of the late Plot in that Kingdom to be look'd carefully over, that if there be found any thing therein relating to this, it may be ſent Us: Since many are perſwaded we are not at the bottom of it, and that it had a Communication with the diſaffected Parties of all his Majeſties Dominions.

His Majeſty is alſo making ready a good Fleet, to ſend into the *Streights*, to ſecure the Trade there, where the uncertainty in the Government of *Algiers*, and the mutinous Peoples

Prevalence above the opinion and reſolutios of their Governours threaten a Breach of the Peace made firſt by them, and ſince ratified by the *Grand Seignior*. With this Fleet my Lord of *Tiviot* goes back to *Tangier*, and Sir *Richard Fanſhaw* Ambaſſador into *Spain*, which is all our News at preſent.

I am, &c.

White-Hall, *Jan.* the 20th. 1664.

My Lord,

I Have Received none from your Grace, ſince your laſt, neither have I been able to comply with my Promiſe, in ſending you back the Letters ſigned by his Majeſty, which I promiſed: no occaſion having preſented it ſelf to get them diſpatched. By the next I do promiſe they ſhall be, ſo that the effect only of this is to acquaint your Grace, that his Majeſty having conſidered well of your Letter of the 29*th.* paſt, and the many weighty Points in it, commanded me this day to bring it to my Lord Chancellours, and to read it there to him, Upon which I was commanded to ſignifie to your Grace this as his Majeſties Reſolution, that he intends nothing more poſitively than the ſatisfaction of the different Intereſts, and their final determination and ſettlement, and this by an Act of Parliament; and therefore hath put in

in hand the amendment of the laſt Bill tranſmitted hither, which he hopes ſhall be ſuch as to give reaſonable content to every Body; but by reaſon of the niceneſs and intricacy of the matter, fears it will not be ready to be ſent over at the next meeting of the Parliament in *February*, and therefore leaves it to your Graces conſideration, whether you will not think fit to entertain the Parliament with ſuch matters as are ready before them, and according to the temper you find them in, keep them together more or leſs, reſerving the handling this Bill to another meeting, and ſo Prorogue the preſent Seſſion till then, and without aſſembling for ſuch a ſmall time, make a new Prorogation now thereof.

His Majeſtie alſo conſidered of the liſt your Grace ſent him of the number of Horſe and Foot, and in the firſt place concluded he would not unwillingly have their number for the preſent leſſened, but that they might be more ſerviceable, according to your Excellencies deſires, he would have conſider whether there be not too many Gariſons in that Kingdom now ſubſiſting, and upon ſignification from your Grace of the leſs neceſſary ones, he reſolves to ſend you Order not only to draw out the Men from them, but to demoliſh the ſtrength of them, leſt in any trouble that might befall the Government there, they might become the Prey of thoſe that ſhould create it, or at the leaſt be an occaſion of keeping the force of the Army too much diſperſed and divided: As for the Augmenting it, he ſees no probability, ſince you have no means of maintaining that Augmentation there,

and

and he is as little able to ſupply it from hence; his Majeſty therefore again offers to you as the beſt expedient for your ſecurity, the ſending you over a good recruit of Men and Officers, ſuch as you may be entirely confident of, upon whoſe Arrival there you may caſheer the ſame number of thoſe Troops you can leſt rely upon; and to make better room for the Officers he ſhall ſend from hence, ſuppoſes your Grace will not be againſt the diſplacing ſuch there, as do not attend their Commands, and are of a Rank and Quality exempting them from doing ſo; towards which, that he may be the readier therein himſelf, his Majeſty hath commanded me to bring him the Military Liſt, which I ſhall do upon the firſt occaſion, and communicate to your Grace his obſervations upon it.

Our Letters from *York* tell us the Judges have found fifteen guilty, and this by the Proof of two Witneſſes againſt each of them, as well as their own Confeſſions, ſo that by the next, I ſuppoſe, we ſhall ſend your Grace the Sentence and Execution of at leaſt ſo many, which is all I have to trouble you with at preſent, and I am with all reſpect.

White-Hall,

White-Hall, Jan. the 23d. 1664.

My Lord,

I Find my ſelf very much expoſed to your Graces cenſure by the ſtop of Letters here, which you recommend to be ſigned by his Ma-eſty through my hands, which I am ſorry or, and yet I know not well how to help it, n the former part of the paſt year, your Grace id your ſelf expreſly beſeech his Majeſty to old his hand from paſſing any more Grants ith relation to that Kingdom, till it were n a better way of ſettlement, and the pub-ick better provided for. Since the Commiſſioners ame over, the King hath commanded me to onſult ſome of them, in moſt of the Letters ranſmitted hither, ſo that none paſſed but ich as his Majeſty from his own proper Mo-ion hath commanded; I ſay this to prepare our Grace not to be ſurprized at the delay f my Lord *Kingſton*'s Grant, notwithſtanding our earneſt recommendation to ſend it to Sir *Richard Rainsford* for his opinion of it, he had nſwered me that his Majeſty ought to hold is hand in it, not only for the ill Preſident it will create to who will pretend the ike, and ſo conſequently fruſtrate the end of he Bill which is now under conſideration, but or the exceptions, which may fairly be made gainſt the thing it ſelf, which my Lord *King-ton* deſires. I am waiting an occaſion of ſpeak-ng to Sir *Richard Rainsford* my ſelf, that if it e poſſible, I may ſend your Grace a more ſatis-

factory

factory anſwer herein, and in the mean ti
I write to my Lord *Kingſton* to have patien
without particularizing any thing to him
what I have expreſſed to your Grace, I am

White-Hall, Jan. the 30th. 1664.

My Lord,

YOur Graces of the 19*th.* to me brou
in it an extraordinary effect of y
kindneſs, recommending ſo effectually to
Majeſty the doing me a good turn, of wh
I ſend your Grace the obliging effects here
cloſed, the blank whereof is filled by
Majeſties own Royal hand, and I hope I ſ
ſo behave my ſelf in his Service, as neither
give him cauſe to repent of his bounty, nor y
Grace of having ſo kindly recommended
to him. This preſent Warrant I ſend back
your Graces particular ſatisfaction, and ſ
follow it with a new Tranſcript ſigned ag
by his Majeſties own hand, according to y
direction, humbly beſeeching you that y
favour may accompany it to its Journeys e
which, according to the courſe of ſuch thin
will not be a ſhort one, nor free from ſ
accidents as are incident to it.

By his Majeſties commend I am to acqua
your Grace that the *Portugal* Ambaſſador hath
licited his Majeſty amongſt other things fo
recruit of his Troops now in that ſervi

the Tranſportation of which will be at the expence of *France*, ſo his Majeſty will be content to furniſh the men, to which he conſents, and hopes he may do it with benefit to his own ſervice, that is, by prevailing with your Grace to furniſh them out of the worſt part of your Army in *Ireland*, whither the *French* will ſend Ships and means for their Imbarkation, and in fine defray the whole entire charge of it, ſo your Grace be pleaſed to name in your next the time againſt which they ſhall be ready, and the ports to which the *French* Veſſels ſhall come for them, applying your ſelf to have this executed with all poſſible expedition, becauſe the ſeaſon and Service to which they are intended do require it; and the fewer Officers you give to the Men, the more the place they go to will be obliged, becauſe they have ſcarce need of any now. Whether your Grace will publiſh this intention, or diſguiſe it, 'tis left in your own hands to do either, as ſhall appear beſt, and moſt practicable to you. His Majeſty ſuppoſes his ſervice then, as I ſaid will receive benefit by this, eſpecially if he recruits your Army with a thouſand good men from hence, inſtead of ſo many factious and dangerous ones, as he ſuppoſes you will be content to be rid of, which thouſand is the number deſired.

With this I am alſo to acknowledge your Letters of the 13*th*. recommending a Petition exhibited to your Grace by the now Earl of *Mountrath* and others, in the behalf of themſelves, and ſeveral who joyned the late E. of *Mountrath* in his Majeſty's ſervice in that Kingdom, in order to his Majeſties moſt happy Reſtoration.

ſtoration, together with a Copy of a l
written by his Majeſty from *Bruxells* unt
ſaid Earl by Sir *Arthur Forbes*, and the C
of two other Letters written by his M
ſince his coming into *England* unto his
ſhip, and the late Lord Juſtices of that
dom, in purſuance and confirmation o
ſaid Letters from *Bruxells*, all which I
communicated to his Majeſty and by h
ſwer doubt not but in its due time to
your Grace a good account of it. I hav
quainted my Lord Chancellor with the
val of the Papers, but have not had o
tunity to ſhew them to his Lordſhip, wh
ſeems, is under the ſame obligation of
Grace of doing what in you lies to ſe
Majeſties Engagements perform'd; and t
ſuppoſe will be then ſeaſonably preſſed
the Bill is towards a Concluſion. Upon w
I hear my Lord Chancellor had yeſterd
third Conference with the Commiſſioner
Attorney and Solicitor being preſent. W
Progreſs they made in it I cannot tell
ſuppoſe they have only continued to d
the whole matter, without coming yet t
Pen to Paper, which I could be glad
would do, and finiſh before our Parlia
meets; for we are told ſome trouble
People deſign the filling our hands ſuffic
ly there. I am glad to find his Majeſty deter
ed to make them vigorous reſiſtance in whi
he be faithfully followed by all thoſe that
his Servants, and whoſe good is int
involved in his, I make no doubt but
will maſter all difficulties, to the ſham
thoſe who raiſe them againſt him.

My Lady *Guilford* acknowledged her ſelf to be beholding to one Sir *William Aſhton* for many good turns done her in her Fortune in that Kingdom, upon which account ſhe hath beſought his Majeſty ſo far to own her, as to intreat your Grace to give the ſaid Sir *William Aſhton* thanks for it in his name, and ſome aſſurances for requiting it, as occaſion ſhall ſerve, which his Majeſty commands me to ſignifie to you.

This day is the ſad Anniverſary of our late King's murther, and ſome villanous People to blot the remembrance of it, have, as I am told, diſperſed many Copies of that Seditious Paper call'd, *Murder will out*, wherein his Majeſty's recommendation of my Lord *Antrim*, is Printed with ſome villainous application to his Majeſty, whereof I ſent you, at its firſt coming abroad a Copy, and then ſuppoſed the firſt Impreſſion thereof came from *Ireland*. If your Grace could diſcover any thing of it there, it would be a great Service to the King to have the Author and Printer of it ſuffer ſome exemplary puniſhment, for now the *Preſs* and the *Pen* is beginning as hot a War upon us, as if they intended ſpeedily to follow it with the *Sword*.

The Wind hath been reaſonably fair for Sir *Richard Fanſhaw*'s Imbarcation, and the going out of our Fleet, but the unreadineſs of ſome part of the Ambaſſadors Train hath, as we are told, hitherto delayed it.

I will end my Letter, as I began it, with aſſuring your Grace that I am very ſenſible of this your laſt kindneſs, and ſhall make you all returns poſſible within my power, according

to

to the inclination I have ever had towards your Perſon and Service, and the unfeigned reſpect wherewith,

I am, &c.

White-Hall February 9th. 1664.

My Lord,

IN my laſt I promiſed your Grace a more particular anſwer to yours of the 27*th*. paſt, after I ſhould have an opportunity to Communicate it to his Majeſty, which ſince I have had; who commands me to let you know again that he ſtill perſiſteth in the Reſolution, that the amendments of this Bill ſhall be with all care and reaſonable ſatisfaction of all Intereſts. I ſuppoſe this cannot come time enough to be any direction to your Grace for the new Prorogation of the Parliament, ſince the laſt Term given it was the 17*th*. and that which his Majeſty could wiſh at this diſtance, is, that either by one or more Prorogations, as ſeem moſt agreeable to your Judgment, you would ſuffer about three months to ſpend themſelves, before which time his Majeſty confidently aſſures himſelf that the Bill ſhall be entirely ready.

We

We expect your Excellency's Anſwer to the Propoſition for a Recruit to *Portugal*, ſo that whilſt that depends, his Majeſty thinks it not material to make you any more overture for any other change of your Men, in which he ſuppoſes your Grace will always have a contradiction in your Officers, as much as in them lies, who will not eaſily be brought to think any Men are better than their own.

His Majeſty ſtill continues in his deſire of having the Party ſent over, and will conſider of the form of doing it.

At this time his Majeſty declared the offence he took at the low rates for which *Cuſtodiums* are let, and, though being but from year to year, it cannot be hoped they ſhould be put at the conſtant value of the Land, yet he deſires your Grace would command care be taken of rating them leſs this following year.

My Lord of *Arran* brought me a Petition of *William Smith*, Mayor of *Dublin*, *Robert Gorges*, *John Bligh*, *William Dodſon* and *William Muſchamy*'s, Eſquires, deſiring the Farm of the Inland Exciſe of that Kingdom, whereof they ſay my Lord of *Orrery*, and my Lord *Kingſton* had ſhares promiſed them, and that the above mentioned were to joyn with them in the whole Farms. To this his Majeſty would make no other Anſwer (neither indeed had any body called to me for it) that he had left this whole matter to your Grace's diſpoſal.

In a former I deſired your Grace, that two of the City of *Briſtol*, viz. Sir *John Knight* and Sir *Henry Creſwick*, both Aldermen of the City, and the Mayor for the time being, may be your Deputy Lieutenants for *Briſtol*, which I

am aſſured is according to former preſidents as well as moderu, and I again deſire your Grace to cauſe Commiſſioners to be ſent hither to me for that purpoſe. I have at length prevailed with his Majeſty to ſign Sir *Thomas Wharton*'s Warrant, ſince your Grace preſſed ſo much for it.

I am, &c.

White-Hall 16th. *February* 1664.

My Lord,

SInce my laſt to your Grace of this day Sevennight, I have received your Graces of the 5*th*. and in it an Addreſs of the Lord Primate of *Ireland*, and Lord Arch-Biſhop of *Dublin*, complaining of the offenſive and ſcandalous behaviour of the Roman Catholick Prieſts, and the great number of them in the Kingdom, and exhibiting the ill Conſequences that may happen thereby to the Proteſtant Religion, and his Majeſty's Government.

In your Graces aforeſaid Letter you offer as an expedient to obviate theſe miſchiefs, the preſſing upon the aforeſaid *Roman Catholick* Prieſts, the Subſcription of a certain Declaration, according to an Inſtruction given his Majeſty, neither of which have at any time been Commu-

Communicated to me; notwithſtanding I have made no difficulty to expoſe the whole matter to his Majeſty, together with the ſaid Addreſs, and your Grace's Letter upon it, whoſe Anſwer to me was to this effect, that whilſt he believed the Roman Catholicks of that Kingdom, behaved themſelves peaceably in the Government, he had been content to ſuſpend all Perſecutions and Moleſtations againſt them, but being otherwiſe aſſured by your Grace, and the concurrent Advertiſements of my Lords the Biſhops, he was now content your Grace ſhould offer to them the Prieſts the Subſcription of the aforeſaid Declaration, as a good Teſt to diſtinguiſh the quiet from the unquiet Spirits among them, which is all I am commanded in this matter, and your Grace's aforeſaid Letter affording me nothing more to reply unto, nor here being any thing among us worthy of your farther Information, I ſubſcribe my ſelf, with all reſpect, *&c.*

White-Hall, February 23d. 166¾.

My Lord,

SInce my laſt I have received two of your Graces, of the 10*th.* and 13*th.* Current, the former is a reply to his Majeſty's Propoſition concerning the Thouſand Men, and your Grace finding difficulties in ſending ei-

ther intire Companies without their Officers, or commanded Men out of the Army to that number, and the *Portugueſes* refuſing abſolutely the uſe of *Iriſh* Men, as ſuſpecting their Partiality to the *Spaniard*, his Majeſty ſeems totally to have laid down the thoughts of moleſting you any farther upon this Subject, and will have it tried whether the Propoſition be more practicable here.

In your Graces of the 13*th*. there was a Liſt of Letters recommended by you to his Majeſty's ſigning, which were returned, and another Liſt of Letters not returned, all which are alſo ſigned, but being for particular Mens buſineſs, and Sir *George Laſſel* having agreed with my Officers, that for the ſecurity of the Fees they ſhould be called for here, there are ſome of them in our hands ſtill, only Sir *Thomas Wharton*'s being ſo earneſtly recommended by your Grace, I commanded it ſhould be ſent to you. As for Colonel *Fitz-Patrick*'s, it hath in it many points of Law, for which I dare not be anſwerable, ſo at the beſt all I ſhall be able to do in it, will be inſerting a Clauſe at the end of it, to ſubmit it to Examination there before it paſſes, and with that condition I ſuppoſe I may get it ſigned. As for Sir *George Lane*'s, I have acquainted my Lord of *Arran* with the difficulty I have met in it, ſo that now I am only waiting the occaſion of letting the King know how much 'twill be to your Grace's ſatisfaction, to have it ſigned, and then I hope I ſhall obtain it.

My

My Lord *General* hath repreſented to the King, Major *Beverſham*'s extraordinary care in carrying over thoſe Recruits to your Grace, and the ill accidents he hath met with to delay a part of them at the Sea-ſide, which hath coſt him much more money and time than he reckon'd upon. For his pains his Majeſty deſires he may be recompenced with a Company there: Reſolving alſo that his extraordinary Charges ſhall be ſatisfied him.

I give your Grace moſt humble thanks for the readineſs you have expreſs'd in paſſing my Grant for the 10000 *l.* I have acquainted Mr. *Oneile* with what your Grace writes concerning Mr. *Bathurſt*, who hath not yet inſtructed me what Anſwer to make concerning it.

I am, &c.

To my Lord Orrery.

White-Hall 15th. *March* 1664.

My Lord,

I Do with much ſhame to my ſelf acknowledge by one of mine the receiving of three of your Lordſhips of *Jan.* 5th. *Feb.* 6th. and 17*th.* In your firſt your Lordſhip recommends my Lord of *Roſcommon*'s Concernments to me,

of which I hope to give you a ſpeedy good Account; and for my excuſe that I have not done it ſooner, I can ſay, (tho' it be of an old date) it came but lately into my hands, with another buſineſs of my Lord of whom I hope to ſerve alſo in it, tho' I have hitherto wanted the opportunity of doing it. The laſt of your Lordſhips, tho' much the largeſt, requires little Anſwer, becauſe his Majeſty upon the Diſcouragements given by my Lord Lieutenant in it, had long ago laid aſide the purſuing the Levies for *Portugal* in *Ireland*.

The King hath ſpent two long days upon the debates concerning the *Iriſh* Bills, and his ſcope in it being to make good the *Declaration* and *Bill of Settlement*, it is hoped that there may be a good way found out to give reaſonable ſatisfaction to all the concerned Parties, and that a few days more ſo ſpent will direct us in it.

I have been alarmed from *Ireland* with ſeveral ſuggeſtions that my Warrant firſt, and now Patent for the 10000 *l.* is defective, and conſequently that I ought to procure new ones; but till I hear your Lordſhip ſays ſo, I am reſolved to acquieſce in what I have, and what your Lordſhip will do upon it.

To morrow our Parliament begins, and ſome Almanack maker tell us we ſhall have trouble in it: but the profeſſion is ſo deſcried, and the future in all times obſcure, that I am reſolv'd not to apprehend it, nor lengthen this your Lordſhips preſent trouble, more than with my accuſtomed profeſſion of being with all truth, *&c.*

White

White-Hall, March 15th. 1664.

My Lord,

'TIS long ſince I was honoured with any Letters from your Grace, and I ſhould not now trouble you with any of mine, if it were not to excuſe the having omitted it ſo many Poſts. His Majeſty ſpent yeſterday many hours again upon the *Iriſh* Bill, and made reaſonable good progreſs in it, reſolving not to diſcontinue his pains therein till he be at the end of it. I will not charge my ſelf with a repetition of the ſeveral points debated, and concluded; becauſe I ſuppoſe your Grace has had them from Perſons of more leiſure and ability to repreſent them to you. I will content my ſelf with the anticipating with this opinion, that the Bill will come over ſo qualified, as not to give reaſonable offence or diſſatisfaction to any Party.

To morrow our Parliamentary work begins, tho' I ſuppoſe the want of a convenient number of Members may make his Majeſty forbear ſhewing himſelf amongſt us the firſt day.

The laſt week it was ſaid with much confidence, that my Lord of *Briſtol* would withdraw himſelf this Seſſion from troubling himſelf and us, but now the contrary is in the ſame manner affirmed. By that time we have been ſome time together, we ſhall eaſily judge what number of Seconds he is like to have, and by that take a better meaſure of the like-

lihood of his ſucceſs, which if it prove ſo, I may confidently ſay, he will quickly have as much cauſe to be ſorry for it as we, but I hope and flatter my ſelf with belief of the contrary.

My Lord *Hollis* hath at laſt had his firſt ſolemn Audience to his Majeſty's ſatisfaction, the Princes of the Blood not being then preſent at the Court of St. *Germains*, to conteſt the precedence with him, and we alſo hear our Fleet is ſafe in the *Mediterranean* Sea, and hope Sir *Richard Fanſhaw* is ſafe on ſhoar, tho' we have no Letters of it.

Tangier is in a good condition, and the Mole advances a pace; with this your Grace hath all our Home and Foreign News.

I am, &c.

White-Hall, March 19th. 1664.

My Lord,

'TIS very long ſince any Letters came over to us from *Ireland*, but ſo your Grace be in health and your Government in Peace it is ſufficient, till we can ſend you over the great Bill, the progreſs upon which cannot but receive ſome interruption in this beginning of our Parliament, in which there is more than ordinary fear for diſpatches, but I hope they will be cruſhed in the beginning.

The

The Houſes met on *Wedneſday* laſt, but upon ſignification that his Majeſty deſired it, they Adjourned till *Monday*, on which day the King means to be there. My Lord of *Briſtol* hath been ſought for by his Majeſty's command, but is not yet found. My Lord *Hollis* hath at length had his Audience to his Majeſty's ſatisfaction, the Princes of the Blood not appearing to diſpute their point. My Lord of *Tiviot* perſiſting in his mind of building a Fort at ſome diſtance from the Town of *Tangier*, *Gayland* hath drawn his Forces thither to hinder it, but we hope in vain. This News the freſheſt Letters bring us, and I have no other worth your Lordſhips trouble,

I am with all reſpect, &c.

P. S. *One from the* North *writes this to me, Be pleaſed to remember that* John Robinſon *be ſecured, who lives now at* Blacklea, *within two miles of* Dublin, *as he writ, at one Mr.* Walker's *Houſe, and goes ſometimes by the name of* John Walker: *Others ſay that* Dublin *is called by the name of* Blacklea *by the* Iriſh, *and he diſguiſeth the place of his abode by the name of* Blacklea, *and that he is in one* Walker's *houſe in* Dublin. *He was Agent a great while, and knows the bottom of the deſign (as his fellows aſſure) and had intelligence in* Ireland. *It were worth the pains to have this Fellow found out, and I beſeech your Grace that Enquiries may be made after him.*

White-

White-Hall March 26th. 1664.

My Lord,

I Am to acknowledge your Grace's of the 12*th.* and in it a new mark of your favour to me, in attempting ſo willingly his Majeſty's commands for *Cuſtodiums* to be ſet out for me. I alſo by the ſame occaſions received the Commiſſions for Deputy Lieutenant for *Briſtol*, which ſhall be immediately ſent away.

Since my laſt his Majeſty hath received from each of the two Houſes, ſignal Evidences of their reſpects and deferences to *him* : The houſe of Lords ſent his Majeſty my Lord of *Briſtol*'s Papers unopen'd, and have in private all declared the beginning in his return.

The Houſe of Commons have voted the Repeal of the Triennial Bill, and brought in a new one to ſecure the frequency of Parliaments, but with a ſubmiſſion to his Majeſty's will therein.

By this your Grace ſees all the melancholly Prognoſticks of an untemperate beginning of this Seſſion contradicted, and the Houſes really on a better temper towards his Majeſty's ſervice than I ever yet ſaw them ; God Almighty continue it. His Majeſty had appointed *Munday* for the Proſecution of the amendments of the *Iriſh* Bill, of which your Grace ſhall have an account by the next Poſt with all reſpect, *&c.*

White-

White-Hall, the 2d. *April* 1664.

My Lord,

SInce my laſt I have received from your Grace and the Council one of the 18*th*. paſt with two Bills, which ſhall be offered to his Majeſty in Council by the firſt occaſion, and the diſpatch of them, and others depending here, procured with all poſſible expedition. By this Poſt I ſuppoſe your Grace will have an account of a great Progreſs made *Wedneſday* laſt in the great Bill, I mean the deciſion of a main and important queſtion upon it, and that in favour of the *Engliſh* I confeſs ingenuouſly to your Grace, that I went to the Council with a perſwaſion that his Majeſty had only given and confirmed Lands to ſuch Soldiers as were of the Army at his Arrival here in *England*, and not to thoſe who had been of the *Iriſh* Army before, and his Majeſty himſelf declared avowed he was of this opinion; but having laid for a Foundation that whatſoever the Declaration Act of Settlement had given ſhould not be altered in this, and it being made clear to us by the words of the ſaid Act running thus, *all that are, or have been of the Army*, that they included both the qualifications, his Majeſty frankly declared the right to be as well in theſe that had been of the Army before, as thoſe that actually were of it then at his Arrival, in which deciſion we could not but acquieſce. At the ſame Debate there was the other queſtion alſo return-

ed

ed again, concerning the *6th.* part, but had no final decision, it being thought fit Poſt-pone it till all the other parts of the I were gone over, after which it will be m proper to conſider, whether that expedient a *6th.* part for furniſhing the Stock of Re zals ſhould be accepted of. One point m was alſo debated then, *viz.* whether Pre ſtants reſtored to their Eſtates ſhould pay Q Rent, and concluded in the Negative, wh had been otherwiſe reſolved before, and retractation thereof encourageth innocent piſts to hope, that his Majeſty will have goodneſs to exempt them alſo from the ſa This was the ſum of the debates that I and becauſe (as I ſaid before) it hath give conſiderable advance upon the Bill, his jeſty hath bid me ſince write to your Gr to know what Perſons you would adviſe I to nominate to be reſtored to their Eſta upon which account he is in general t thoſe of the *Engliſh* Pale have the beſt me who yet he ſuppoſeth cannot be equally qualified.

Upon the whole matter, I promiſe y Grace I am, and will, be careful to mind Majeſty of diſpatching this Bill with all p ſible expedition, as you now again recomm to me.

This Afternoon I have received two fr your Grace by Mr. *Halſey*'s Hand, the c without date in a Character I do not reme ber to have ſeen before, which is fit for Majeſties ſight, but requiring no anſwer cept that particular which concerns Sir *bert Biron*, and will I make no doubt be to

ſatisfact

tisfaction, he, having been already prepared r me to that Reſolution your Grace hath ken therein, and in which I am perſwaded is Majeſty will alſo acquieſce; and this gives e occaſion to tell you, that I am waiting the rſt opportunity in offering to his Majeſty the reaſure Civil and Material which he hath romiſed to ſpend an Hour in the next Council ay.

The other Letter from your Grace is in your wn hand, and with circumſtances ſo obliging o me, that I do not hold it good manners to nſwer it, but with my own, the forbearing hich in my ordinary diſpatches is, I hope, ſo ar from being diſliked by you, that I am in me wonder that your Grace hath all this me omitted to give me expreſs thanks for it.

Our News from the Parliament is all very ood, both the Houſes ſtill in perfect good emper, the Lords have entirely agreed ithout any the leaſt amendment to the reeal of the Triennial Act, and eſtabliſhing better in the place of it, and that they may ave ſome merit to equal our Zeal therein, ave moved his Majeſty to come the next Veek to the Houſe, and paſs this Bill alone for he greater ſolemnity of it.

In our Houſe there is brought in a new Bill o mend the Collection of the Hearth Money, hich hath been very well entertained, read wice, and ſtands committed; In the like State here is alſo a Bill to prevent dangerous Conenticles.

We have no Letters yet from Sir *Richard anſhaw* in *Spain*, but all from thence aſſure us hat he hath much more than an extraordi-

nary

nary welcome, with which your Grace hath all News, and I am with all reſpect

Yours, &c.

White-Hall, the 9th. *April* 1664.

My Lord,

SInce my laſt to your Grace I received two from you, one jointly ſigned by the Council with you, together with a report from ſome of them upon a petition preſented to your Grace ſome Proteſtant Officers, who had ſerved in the Army of *Ireland* before his Majeſties happy Reſtauration, which I ſuppoſe was intended to incline his Majeſty to favour them in this Bill; but that point being finally reſolved, as I expreſſed in my laſt, this will be of little uſe, and the truth is they found here a better advocate upon the place, than that Paper could have been for them, who ſaid more (it ſeems) than they can ſay for themſelves.

The other Letter, tho' cloſed with the Council's Seal, was ſigned by your Grace only, and that contains your Grace's deſire that his Majeſty would be pleaſed by Proclamation, or otherwiſe, to warn all Members of the *Iriſh* Parliament to reſort thither, which I have not had opportunity to move his Majeſty in this Holy Week; ſpeaking with Mr. Attorney he ſeemed to agree in the end with your Grace, but miſliking the means by proclamation, one

one thing he added not unworthy in my opinion of your Grace's Reflection, *viz.* That the ſame Perſons ought not to be Members of two different Parliaments ſitting at the ſame time,

I make no doubt but Mr. *Temple*, by this Poſt, acknowledgeth to your Grace the favour the King hath done him at your Recommendation.

Since my laſt, his Majeſty hath had another long Debate upon the *Iriſh* Bill, and diſpatched ſeveral points upon it, amongſt others the Commoners were juſtified in their Decrees till the 22 of *Auguſt*. *Wedneſday* next his Majeſty will have thoſe Debates reſumed again with a Reſolution not to intermit them till the Bill be finiſhed. By this Poſt your Grace will underſtand, that the Parliament is adjourned till *Munday* after the Holy days, and that on *Tueſday* laſt his Majeſty was at the houſe, to paſs the new *Triennial* Bill, upon which he ſpoke much to their ſatisfaction, as you will ſee in Print.

I am, &c

White-Hall,

April the 19th. 1664.

My Lord,

I Forbore by the laſt Poſt to acknowledge your Grace's of the *9th*, becauſe I had not acquainted the King with the Contents of it, which I have ſince had opportunity to do, and his Majeſty by the Incloſed Warrant drawn as near as I could to your Grace's ſence, impowers you to ſend the Liſt of Names to him; with it I likewiſe ſend encloſed a Paſs for 40. Horſes beſpoken by my Lord of *Arran* for your Graces ſervice.

This Afternoon his Majeſty began to read the *Petitions* and *Proviſoes* pretended to by particular Perſons, but made no great Progreſs in them, ſuch is their number my Lord *Tirconnel* obtained one, Sir *Henry Neale* another, and my Lord according to your Graces recommendation which I took care to mind his Majeſty of; alſo the old Corporation of *Corke* have prevailed to be recommended to your Grace, in a Proviſo, it being left to you to diſtinguiſh of their reſpective merits, and accordingly to repoſſeſs them of their Eſtates and Franchiſes within the ſaid Corporation. Theſe were the moſt material things diſpatched this day, and we hope a couple more may make an end of the Bill.

Yeſterday the Parliament met again in a good temper as they parted, and are like to continue ſo if we ask for no Money, which we perſwade our ſelves would be much to our advantage,

in

in the next Seſſion, but this is a point of morality which my Lord Treaſurer will very unwillingly digeſt. And for the better evidence of a good humour which we brag of in our Houſe, I here alſo incloſed ſend the Vote of the Committee of Trade made this Afternoon, with which your Grace hath an end of your preſent trouble, and

I am, &c.

April the 25th. 1664.

My Lord,

I Have none before me of your Grace's to acknowledge, and little News to add to my laſt, ſince when his Majeſty hath had another debate upon ſome of the Petitioners pretending place in the *Iriſh* Bill, which brought him to this Reſolution, that Mr. *Solicitor* together with the Commoners ſhould receive all the remaining Petitions, which are not a few, and diſpoſe them in ſuch a Method, as they may be with more eaſe conſidered of the next meeting, which will ſave us the better half of our work.

In my laſt I alſo ſent you the Vote of Trade, ſince when the Houſes have agreed to it, with that Complimental addition, which your Grace ſees in the Incloſed Paper, and which, if it have no further effect, would at leaſt be a Point of infinite Reputation to his Majeſties Government: and in ſo ſhort a Seſſion the World ſhall ſee

the *Triennial* Bill be repeated, and ſuch a *Vote* as this, after they had been prepared to expect nothing but Conteſts and Diſputes with the Crown in the moſt jealous points belonging to it.

Some News is alſo come to us of an advantage my Lord *Trevor* hath gotten over *Gayland*; but I am not ſufficiently acquainted with the particulars to incloſe them herein. I return your Grace herein your Petition of the Farmers for the Exciſe of that Kingdom, at the bottom ſo which Sir *Martin Noell* affirms he hath given in the ſecurity expected from him, —

I am, &c.

P. S. *I had forgot to tell your Grace that the Lords have entirely concurred with the Vote of the Commons, and propoſe the ſending to his Majeſty a Committee of both Houſes to ask his Majeſty, when he will give his Houſes leave to come in a Body, and offer him their Vote*, &c.

May

May the 7th. 1664.

My Lord,

BY the laſt Poſt I ſent your Grace his Majeſty's Letter in his own hand, expreſſing his content and deſire to ſee you, and becauſe 'tis believed your Grace will not long ſuſpend your Reſolution of coming now you have leave to do ſo, I was bid to tell you that for that Reaſon it was forborn to ſend you the Amendments of the Bill, as hath been formerly promiſed you; herewith your Grace receives his Majeſty's Letter in form, Authorizing your coming over, drawn upon an old Model of my Lord of *Strafford*'s by my Lord Chancellours Direction. If there be any thing elſe towards your eaſe, or ſatisfaction in this Journey, I beſeech you let me know it, that I may let you ſee how much I rejoyce by my readineſs to contribute to all the parts of it

The Encloſed is what we have heard from Sir *John Lawſon*, ſince which freſher News from *Majorca* ſay, that he had begun the hoſtility, and taken ſome conſiderable Ships belonging to the place.

Before I end I am to acknowledge your Graces of the 29*th.* accompanyed with one from your Grace, and my Lords of the Council there, relating to the period that ought to have been put to the Commiſſioners ſitting, and determining claims, which his Majeſty reading was a little ſurprized with, for the contradiction it contains to what he himſelf had judged

upon hearing that point debated in Council, however he ſaith he will reſume the conſideration of it, and commanded me at the ſame time to give the Commiſſioners a Copy of it. Alſo I received encloſed in your Graces a draught of a Letter to be ſigned by his Majeſty to make my Lord *Dungannon* Governour of *Ulſter*, which I ſhall preſent to him by the firſt occaſion, and continue writing to your Grace till I hear you are Embarqued,

I am with all reſpect, &c.

P. S. *I am endeavouring to get a* Proviſo *inſerted in the Bill for the Eſtate of my Lord* Clanmalira *but cannot hope to get the poſſeſſion of it unleſs I be ſecured with a proportion of Land in* Cultodium, *according to thoſe Letters his Majeſty was pleaſed to grant me, which I hope your Grace will ſuffer to take place after his Royal Highneſs, and ſuffer none to intervene, as I hear 'tis endeavoured*, &c.

To

May 14th 1664.

My Lord,

I Have received the honour of your Grace's of the fifth in your own hand, wherein I find you prepared by a former of mine to expect his Majesty's leave, which went first to you in a Letter of his own hand, and afterwards in the usual form, both which, I hope, before this time are in your Grace's hands, and you prepared for your Journey. I shall esteem it as a most particular Honour if you will employ me in something that may contribute to the ease of it, or your arrival here. The advantage of being upon the place makes me think this proffer may be of some use to you, but not to that degree as to deserve those obliging expressions in your Letter, which have infinitely multiplied my impatience to see you.

We hoped his Majesty would have been this day at the Parliament to Prorogue it, but the difficulties that offer'd themselves in passing the Conventicle Bill, spun out the time till it was too late; but what was done this day will be on *Munday* by the Grace of God. Altho there be safety (as *Solomon* says) in a multitude of Counsellors, yet we cannot but think our selves at ease when we are fairly rid of them. I am with all respect,

To My Lord Ranelagh.

White-hall *the* 12th *Sept.* 1664.

My Lord,

HIs Majeſty hath been very often and earneſtly mov'd to call you into this Kingdom, but meeting alſo with Petitions in your name deſiring the contrary, he hath ſtill ſuſpended his Command to you therein, till ſpeaking with my Lord Lieutenant of *Ireland*, his Majeſty came at laſt to this Reſolution, that I ſhould write to you to come over, aſſuring you in his Royal name, that you ſhall be free from all Arreſts of your Perſon: And that his principal hope therein is only to compoſe ſome Domeſtick differences relating to you, which touch your own Honour; whereof his Majeſty, out of his Princely care of you, is concerned for the eſteem he hath of you, and your Merit in his Service: All which I am confident you will find at your arrival, as you ſhall me ready, tho unknown to you, to do you thoſe good offices which become,

Yours, &c,

Sarum

To my Lord Lieutenant at Briſtol, *in his way to* Ireland.

Sarum *the* 19th *Auguſt* 1665.

My Lord,

I Have this day received your Grace's of the 18*th*, obſerving the ſeeming contradiction amongſt your Papers, one of which recommended to your Grace the ſettling the Militia of *Somerſetſhire*, in order to the prevention of diſorders in the Country, and the other calling for their Money which ſhould encourage the Militia to work, repreſenting which to his Majeſty, he hath been pleaſed to ſign the new incloſed Letter which demands but half the Sum of the former, leaving the remainder for the publick uſe of the Country till the ſaid years Aſſeſſment ſhould be raiſed, after which I hope his Majeſty will quickly be in a condition of refunding the whole ſum to the Country, ſince he cannot lodge it better than in the hands of ſo many worthy Gentlemen, your Deputy Lieutenants, and ſo concerned in the Publick Peace of his Kingdoms. In your Grace's next to me you will be pleaſed to let me know whether you leave your Lieutenancies there, as you did formerly, to my care, and if you do ſo, what you command me therein. We have received flying news this day of an attempt made by our Fleet upon ſome Dutch Ships, Merchant Men in *Bergen* in *Norway*, and of their having been worſted in their enterprize, the King of *Denmark*'s Caſtle ſupporting the *Hollanders*. The report ſaith

we loſt ſome of our Men, and that Mr. *Edmond Montague* was ſlain among them, ſome ſingle Letters of his Brother *Ralph* confirming it, but with no circumſtances, neither doth Sir *William Henly*'s to his Royal Highneſs ſay any thing of our miſcarriage in the undertaking. Perhaps Mr. *Montague*'s Letter, being accompanied with a pretence to his Brother's place, may have out rid our Diſpatch, of which a few hours will tell us the truth, With which your Grace ſhall receive that and all other News. I have bethought my ſelf, tho late, that it is poſſible that his Majeſty's new Regulation for the Impoſition upon Horſes going for *Ireland*, is not gone to the Ports, accordingly I have ſent to Mr. *Southwell* to know what he hath done in it, *&c.*

P. S. *Since I ſigned this, Mr.* Southwell *tells me he hath by the hands of the Lord* Inchiqueen; *Dr.* Kingſton, *Sir* Edward Deering *tranſmitted to the three ſeveral Ports*, viz. Holyhead, Cheſter, *and* Leverpoole *the Orders of Council for the regulation of the Taxes of Horſes to be tranſported, which I hope they will for the preſent obey without any difficulty, tho their Surveyors at Land ſhould not have reconciled it to them*, &c.

Sarum

Sarum *the* 11th *Sept.* 1665.

My Lord,

THis morning his Majeſty received the good news of a conſiderable booty made upon the Enemy by my Lord *Sandwich*, on the 3 of *September*, the day that heretofore was ſo unlucky to him, God make us thankful for this Succeſs. In the Incloſed Liſt your Lordſhip ſees the particulars, and my Lord *Sandwich*, ſuppoſing himſelf not far from the remainder of the Dutch Fleet, tells his Majeſty he hopes quickly to ſend him better news.

His Majeſty is, God be thanked, perfectly well recovered, and is now in his Coach gone to divert himſelf at my Lord *Aſhleys*, whether I am following him, and from whence I ſhall be to ſend your Grace ſuch a Preſent as this the next week,

I am with all reſpect, &c.

P. S. *Since the account I gave you of my Lord* Sandwich's *ſecond ſucceſs*, Sir *Chriſt.* Minns *hath brought in* 5 *Prizes more*, &c. *ſo that this whole Campagaine we are furniſhed with a good ſtory to carry to the Parliament. The Court removes the* 25. *We are much at the ſame paſs with the* Spaniſh *and* French *Ambaſſadors, as when you left us. I hope this will find you ſafely arrived at* Dublin, *and all matters diſpoſed there to your ſatisfaction, concerning the apprehending of Col.* Stabberd, *and examining him,*

I am, *&c.*

Oxon *the* 12*th Oct.* 1665.

My Lord,

I Have your Graces of the 1*ſt.* and 3*d.* to acknowledge, in both of them you paint the Poverty of that Kingdom ſo feelingly, that if I were a lender of money, I would ſwear you meant to borrow ſome of me; but to ſpeak home to the Point, nothing will be leſs practicable in this Seſſions of Parliament, than the Repeal of the Bill againſt Importation of Iriſh Cattle, and this is the Opinion of all with whom I ſpeak upon this Subject; nay my Lord Chancellor, Lord Treaſurer, Mr. Attorney, and Mr. Sollicitor all aſſure, that, according to their obſervance, a total Prohibition will be inſiſted on, and our buſineſs being moſt to pleaſe them, and they having on their ſide to ſay, they ſhall not be able to ſupport the burden of the War without this Indulgence, I cannot ſee how we ſhould behave our ſelves wiſely in it; therefore it will become your Grace to bethink the Lords betimes of two things, one how you ſhall diſpoſe of the Cattle, other of preſſing earneſtly and early my Lord Treaſurer to ſend you ſome money from hence out of that Portion this Seſſion is like to give the King: And the Parliament looks as well towards that end as we could wiſh; *Monday* they met, and yeſterday the King ſpoke very to both Houſes in *Chriſt-Church-Hall*, my Lord Chancellor ſeconding his Majeſty with a very long

long and material Narrative of all the Proceedings with the *Dutch*, ever ſince his coming to *Breda*, which being Printed will much forward the general inclinations to ſupport it vigorouſly.

Your Grace knows long ago the death of the King of *Spain*, and the leaving the Government there intirely to the Queen's hands, aſſiſted with 6 Counſellors, the Archbiſhop of *Toledo*, the Inquiſitor General, the *Conde de Caſtilla*, the Vice Chancellor of *Arragon*, the Marquiſs *Daytona*, and the *Conde de Peneranda*; *Don Juan de Auſtria*, and the Duke *de Medina de las Torres* remaining excluded, and the Council, being thus united by theſe and many other other circumſtances the Government is certainly much ſtronger than it was before. We are not able to gueſs how the *French* will turn themſelves upon this change: the King profeſſeth to them all the good that is poſſible, he ſaith he will be a Father to the young King; in the mean time the *Hollanders* preſs him to declare for them, and give them the promiſed Succour of money againſt us. He yet ſuſpends his Declarati- I ſuppoſe till he hears the Parliaments Speech, and inſtead of money ſends 6000 of his beſt Troops againſt the Biſhop *Munſter*, ſaying now he cares not whether the *Spaniard* grant him a paſſage for them or not; ſince betwixt the moſt advanced Garriſons of *France* and *Leige*, there is but a few hours march, where he ſuppoſeth the *Spaniards* will not, or cannot be ready to reſiſt him, but Mr. *Temple* ſaith they will, but be it ſo or not, it is certain the Biſhop of *Munſter* hath made already great Inroads into the Enemy's Country, and, before

the

the *French* can overtake him by the way they are going, he will by having taken ſome conſiderable Poſts, make his Quarters ſo ſtrong and ſo advantagious to his ſubſiſtance this Winter, as he will not care much for the trouble the *French* can give him; the places he hath taken are *Barcloe*, *Appel*, and *Lochem*,

I am, &c.

Oxon. the 25*th* Oct. 1665.

My Lord,

I Have received your Graces of the 11*th*, from *Kilkenny*, to which I have little to ſay now, having anticipated my anſwer to the greateſt point of it in my former, the laſt of which told your Grace how earneſt the Houſe of Commons appeared in proſecuting a Bill forbiding the Importation of Iriſh Cattle at any Seaſon, which they have ſince ſollicited with ſuch warmth, that notwithſtanding all the reaſons given againſt it, and his Majeſty's interpoſing his utmoſt diſcountenace to it they have paſt it, and it will be this day with the Lords, who are like to make many objections to it, before it comes to the King, who in the laſt reſult expreſſes a great unwillingneſs to paſs it. The Houſe of Commons have given the Duke 120000 *l.*

I am &c

Oxon.

Oxon. November 1*ſt.* 1665.

My Lord,

I Have your Grace's of the 25th. paſt, which his Majeſty hath read over this Morning, and bids me tell you, you are to thank God you are no worſe, if your Grace hath been told what a Current ran in the Houſe of Commons to promote the Bill againſt the Importation of Cattle, and ſhall reflect upon the neceſſity that lay upon his Majeſty to gratifie them in all he could, your Grace would ſay we have done enough in loſing this Bill without attempting the repeal of the other, and the time being ſhort, the excuſe look'd fair enough, that the Houſe of Lords could not attend the diſpatch of it. Yeſternight at Six a Clock his Majeſty diſmiſſed the two Houſes with a ſhort Speech, which ſhall be ſent to your Grace by the next, with Mr. *Speaker*'s long one, they are Prorogued till the 20th of *Feb.* but his Majeſty declared they ſhould not meet till *April*, unleſs ſome preſſing occaſion did oblige it.

Since my laſt the *French* Ambaſſador made ſome new propoſitions to his Majeſty towards an agreement with *Holland*, and not being ſatisfactory his Majeſty took occaſion of declaring to them, that things would be very improperly left to the *French* Kings Arbitrage (for that was a part of ſome of the Propoſitions) ſince he had declared himſelf ſo partial to the *Hollander*'s, and his being under the Tye of a ſecret Treaty with them.

We

We are expecting every day to hear the *French* Troops have paſs'd over that little of the *Spaniſh* Quarters without oppoſition, with the noiſe of which the *French* K. being allarmed, he expoſtulated much with the *Spaniſh* Ambaſſador upon it at *Paris*.

His Majeſty agrees to both your requeſts concerning Mr. *Kingſeild*, and my Lord *Brian*, which ſhall be diſpatched by the next, and ſent to you; only he bids me recommend to your Grace, not to let your good nature be further wrought upon in ſuch Caſes as the firſt, becauſe the number is already ſo far extended.

The beſt News we have out of *Holland* is, that their vaſt expences and loſſes this Year make the generality call for Peace, and the Province of *Oueryſſel* has made a formal Propoſition to the States General, which is likewiſe Printed, to ſend the Prince of *Orange*, as Ambaſſadour, to the King to make Peace; but it is likely when *De Wit* returns theſe things will be ſuppreſt.

Oxon. November *the* 8th 1665.

My Lord,

I Have no Letters from your Lordſhip this Week to acknowledge; I hope the next will bring us an account of ſome good Progreſs in the great Bill. This Week has produced no News, except the arrival of Collonel *Cuſack* with

with Letters from the Biſhops of *Munſter*, and my Lord *Carlingford*, ſince whoſe Departure from them the Letters of *Bruſſels* tell us, the Biſhop has taken *Reed* a Sea-port Town, and *Bortania*, a moſt conſiderable Fortreſs in the Province of *Groeningen*, the former we have Reaſons to believe, but the Biſhop's Envoy (who is here with us, and is the ſame with whom we treated at firſt), will not eaſily be perſwaded to believe the latter, tho' he adds if it be true, his Maſters buſineſs is out of all danger. Amongſt other propoſitions Collonel *Cuſack* hath brought us, there is one for the Levying a conſiderable Body of Men and Officers, towards which my Lord *Carlingford* ſuppoſes your Grace could Contribute much out of *Ireland* with benefit to the Service, and eaſe to that Kingdom. His Majeſty hath not yet reſolved any thing upon it, but in the mean time if we be worth your Graces Care and Thought to conſider what you could Contribute to this Propoſition, and at what Rates you would undertake to Raiſe two or three Reigments, the *French* Ambaſſadours have ſaid nothing to us ſince our laſt Anſwer, they expect new Inſtructions from Home, in the mean time we conclude the *French* Troops are gotten as far as *Maeſtrick*, finding no oppoſition in their way. We are impatient now to hear what they will undertake, they are too few to March againſt the *Biſhop's* Army, and the Winter too far advanced. If they were more, 'tis ſuppoſed the *Hollanders* will recommend to them, above all things, the falling into the Biſhop's Country, ſo to oblige him to leave theirs: but Col. *Cuſack* aſſures us the Biſhop hath precautioned himſelf againſt that by

by Tranſporting all the Proviſions and Cattle of this Country to the other ſide of a River, which cannot well be paſs'd at this time of the Year. I have nothing more to trouble your Grace with at preſent than to ſubſcribe my ſelf with all reſpect.

I am, &c.

Oxon. November *the* 15th 1665

My Lord,

I Have received your Grace's of the 7*th* which came hither with great diſpatch, and am ſorry to find in it, that ſo many of ours to you have been delayed by Foul weather, for my own particular concernments ſake, ſince they carryed little more of the Publick than our News, having now not any thing to add ſince my laſt, but the *French* Ambaſſador's coming to me Yeſterday to tell me, that the King their Maſter finding all his Officers towards the agreeing us with *Holland* uneffectual, hath recalled them, accompanying this, to make it go down the better, with many Compliments of his value of his Majeſty's Friendſhip, which he would evidence in all future occaſions. Their Troops are gotten as far as *Maeſtricht*, and Monſieur *Turenne* is returned to *Paris*, ſo that now we are with ſome impatience to know,

what

what uſe will be made of them, as likewiſe how the Biſhop of *Munſter* diſpoſeth of his, ſince the Foul Weather is ſo advanced that they cannot keep the Field any longer; but we want many of the *Holland* Letters, which will give us an account of all this. The laſt from *France* brought us my Lord *Aubigny*'s Death, and a Copy of his Will to my Lord Chancellour, who is named his principal Executor, with the aſſiſtance of my Lord *Cornbury*, Sir *Richard Beeling* and my ſelf, he hath given many Legacies of which I know no particulars yet, but I ſuppoſe my Lady *Arran* hath her ſhare in them. What it is I ſhall be able to tell your Grace by the next.

I am, &c.

To my Lord Orrery.

Oxon. the 28*th* Novem. 1665.

My Lord,

MY Buſineſs this Day Seven-night would not give me leave to acknowledge one I had then of your Lordſhip of the 8*th*, Informing of a certain Fanatick Meeting at *Leverpoole*, and Conſultation, to beget us new troubles, from whence Commiſſioners were diſpers'd into *Scotland* and *Ireland*; thoſe to the latter I

hope your Lordſhip will look after, as my Lord *Landerdaile* will do to the former, if you can ſend him the names of them. This Week I have received two other of your Lordſhip's of the 15*th* and 18*th* together, I hope by this time you have agreed with me about my Lord *Aungier*, becauſe I am told the period for that affair is near expiring. His Majeſty approves very much, and thanks your Lordſhip for the pains you have taken in promoting the Expedient which will ſecure the paſſing of the great Bill; tho' I love your Company very well, I ſhould be very ſorry to ſee you here with a new one.

The great *French*, or *Dutch* Ship, which was driven into the River of *Waterford* by Foul Weather, will, I believe, prove to belong to the Duke, to whom your Lordſhip will do an acceptable Service in preventing all embezelments upon her; and the *French* having given us a new provocation, by taking three more rich Ships in the *Mediteranean* coming from *Zant*, will ſufficiently juſtifie the detention of any belonging to them. On *Thurſday* their Ambaſſadors go away, and ours likewiſe recalled from them, which muſt awaken your Lordſhip to look after their practices in *Ireland*.

When I wrote to your Lordſhip laſt, if I could have hazarded the ſpoyling my Lord Lieutenant's compliment to you, I could have told you all his Grace's recommendation. I have moved his Majeſty, and obtained his approbation for the calling my Lord *Obrian* up to the Houſe of Lords, and for conferring the Honour upon your other Son-in-law, upon which

which I expect the draught of the Warrants from his Grace, that we may not err in the Titles.

My Lord *Galloway* is this night arrived, called here by his Majeſty,

I am, &c.

Oxon. Jan. 9th. 1666.

My Lord,

MY laſt told your Grace I was going into the Country to paſs my *Chriſtmas* at my Lord *Crofts*, and when I tell you that the Duke of *Bucks.* and *George Porter* were there, you will not doubt but we paſt it merrily. At my return I found your Grace's of the 21*ſt.* expreſſing upon what condition the great Bill was paſt, and deſiring a Declaration of the Judges here upon the reſting Clauſe, or that not being to be had, a ſhort Bill explaining it. My Lord Chancellor tells me he hath written to your Grace his ſence upon it, and that of the two expedients he likes the former; the Judges not being here, nor Mr. *Sollicitor* to ſtate the caſe, it muſt be deferred till we come to *London*.

I have likewiſe ſhewed my Lord Chancellor the reaſons for the Aulnage Bill, citing your Graces of the 13*th.* paſt which his Lordſhip doth not like, but ſays the defects of them may be ſupplied in Mr. Sollicitor's opening them, who as I ſaid, is abſent from us, ſo that in the mean time his Lordſhip wiſhes, that inſtead of your Grace's Letter, one from the Council might come to introduce the reading of the Bill, referring to reaſons Incloſed.

Sir *William Coventry* deſires to ſend your Grace his Royal Highneſſes Paſſes for your Wine, that he may take that opportunity of making his own Compliments to you.

The *Dutch* are drawn into their Winter Quarters, and Prince *Maurice* with the Deputies returned to the *Hague*, much complaining of one another. The King of *France* was ſtartled at their quitting of the field, and fearing it is in order to a Peace, hath ſent his own Troops to fall into the Biſhop of *Munſter*'s Country.

I am always, &c.

White-Hall,

Oxon. 30th. *Jan.* 1666.

My Lord,

YOur Grace's of the 12*th.* containing matters of much moment, arrived with us on the day before my Lord Chancellor and I left *Oxford*, ſo I could not obtain of his Lordſhip to take them into his conſideration, and ſince our arrival here there having been as little time and opportunity for it, I hope your Grace will pardon us if it be not done till our arrival at *London*, whither his Majeſty goes the day after to morrow to ſettle himſelf, at leaſt till he hath diſpatched the many weighty buſineſſes now before him, which are multiplied by the King of *France*'s Declaration of a War againſt us, publiſhed by ſound of Trumpet, and Printed, of which I have cauſed a Copy to be tranſcribed to loſe no time in ſending it to you: and becauſe this Declaration expoſeth the Lives and Goods of all *Engliſh* now reſiding in *France*, my Lord *Hollis* expoſtulating thereupon in a Letter to Monſieur *Lionne*, the King hath thought fit to ſet forth a ſecond Declaration, and publiſh it in the ſame form, whereby he gives to underſtand, that all *Engliſh* Men are Free for three Months ſpace to diſpoſe of their Perſons and Goods; and our Friends in *France* to leſſen the terrour of this Declaration, recommend to us the underſtanding it not to proceed from any animoſity or

rancour towards us, but the diſcharge of their own Honour towards *Holland*, and would perſwade us notwithſtanding that they are as ready to treat with us as if it had not been publiſhed, or procure us any conditions we can wiſh from *Holland*, if we would be content on our parts to expreſs them. All this laſt Week we have been allarmed with a conſiderable Squadron of *Holland* Ships Lying before *Oſtend*, in order to ſome great deſign, and it hath made the greater Impreſſion upon us, becauſe Monſieur *De Turrenne* was drawing together near the Coaſt a great body of Horſe and Foot, which we ſuppoſe might be in Conjunction with the *Holland* Fleet to make ſome deſcent in *England*, or upon ſome of our Iſlands for which Reaſon his Majeſty hath thought fit by his Letters to warn all the Lord Lieutenants upon the Coaſts to keep their Militia in a readineſs. Thoſe who come out of *France* ſay confidently the deſign is not upon us, but *Flanders*; and from *Madrid* we hear that the *French* Ambaſſador, in his Maſters name, hath laid claim to the Provinces of *Brabant* and *Henault*; a few days will unriddle this Matter. In the mean time the Storms have been ſo great for theſe Six days paſt, that the Ships will paſs their times ill, and by that time it is Fair Weather, we hope we ſhall have a conſiderable number of our Ships in the *Downs* to look after them. His Majeſty, ſince his coming hither, hath received a great deal of comfort from the aſſurances of my Lord *General*, that all things are in great readineſs towards our Summer's Fleet, and that the Bills this Week will have a Conſiderable decreaſe, which encou-

rageth

rageth his Majeſty's ſo ſpeedy going to *London*, from whence your Grace ſhall hear more particularly from me of all things.

I am, &c.

P. S. *His Royal Highneſs hath complained of a Letter Signed by his Majeſty, giving my Lord* Kingſton *a preference of reprizals before him in the ſame County. His Majeſty bids me tell your Grace he doth not underſtand it ſhould prejudice his Brother, and I aſſure my ſelf my Lord Kingſton is ſo prudent as not to preſs the execution of it to his Royal Highneſſes diſadvantage, at whoſe inſtance there is a Caveat entered to prevent all ſuch Letters for the future. Sir* Paul Davis's *is Signed and ſhall go by the next, Sir* James Shaene *hath likewiſe one Signed, authorizing his ſhare to the Regiſters Office, upon his confident affirming it was by your Graces Direction.*

White-Hall 6th. *February* 1666.

My Lord,

MY laſt to your Grace was of this day Seven-night, ſince which I have received another of yours of the 27*th.* of the effects of the former of the 17*th.* both which, together with my Lord's of the Councils Letter of the 20*th.* I read to his Majeſty at my Lord Chancellor's, and tho' his Majeſty was ſenſibly affected with the diſadvantages your Grace repreſents that Kingdom to be expos'd to in this Conjuncture, yet ſuch are his neceſſities here, that he bids me tell you he is not able upon the preſent to determine what Summ of Mony he ſhall ſend you for your relief, but bids you confidently rely upon ſuch an Annual ſupply, as ſhall in a few years amount to ſuch a Summ of ready Mony you deſire; not deſpairing but the Improvement of his affairs may enable him to do it ſooner than he does confidently promiſe, hoping that in the mean time, the Subſidies coming well in, will likewiſe add much to your preſent Eaſe, eſpecially if you have the good luck not to be moleſted abroad. By his Majeſty's command, I have likewiſe put into Mr. Sollicitor's hands the Papers relating to the ſatisfaction your Grace expects from hence upon the *Veſtry* Clauſe, in the great Act of Settlement, who is to attend my Lord Chancellour's Directions upon them, and to ſtate the Caſe for the Judges opinion; but his Lordſhips preſent

ſent indiſpoſition I fear hath not given him yet leave to do any thing upon it, and by way of advance, I'll tell your Grace Mr. Solicitor's opinion is, the Judges will be very tender of declaring any thing poſitively in theſe matters; an inſtance whereof your Grace ſaw the laſt Year in your preſence here, which makes Mr. Sollicitor incline to the opinion that a Supplementory Bill will be the only ſecure expedient, which I tell you of betimes, tho' it only paſſed in his private diſcourſe with me, before he knew my Lord Chancellors poſitive opinion. As to the Liſt of Powder and Ammunition deſired from hence, his Majeſty bid me put it into my Lord Chancellor's hand, who is to adviſe with the Commiſſioners of the Ordinance, and to know from them what quantity they are to furniſh, whoſe anſwer I hope will be ready by the next.

I have likewiſe put into Mr. Sollicitors hand my Lords of the Council's Letter concerning the Aulnage, that he may be ready to expoſe the whole matter in Council herewith the firſt occaſion, and with theſe, or before, aſſoon as I am directed in it, I ſhall ſend your Grace his Majeſty's Letter of thanks to the Parliament there, together with his Power to you to diſſolve the Parliament, tho' I cannot foreſee from our unreadineſs here in the Points above mentioned, that you can have diſpatched your buſineſs by the middle of *March*.

His Majeſty's return to this City hath reſtored life to it, which was become very deſolate, by the rage of the Contagion; and for ought we ſee yet, we may not only ſecurely ſtay here, but quickly call the Queen and the Court from

from *Oxford*, where her Majeſty hath miſcarried in his Majeſty's abſence; and tho' the diſappointment be great in ſuch a loſs, yet it leaves us with more ſecure hopes of better luck in the future.

In my laſt I ſent your Grace the King of *France*'s Declaration of War, which his Majeſty is pleaſed to requite with another from hence: Sir *Chriſtopher Mings* hath got together 25 of his Majeſty's Shipps in the *Downs*, and is now abroad to ſearch for the Enemy. In *Holland* the King of *France*'s Declaration hath put new life into the Governing party there, and gives Monſieur *De Witt* confidence to propoſe Monſieur *De Turrenne* for their General, to the utter diſappointment of the Prince of *Orange*; and this is the great Criſis to determine there, whether they will purſue the War, or ſeek a Peace.

I am, &c.

White-Hall,

White-Hall Feb. 10th. 1666.

My Lord,

HAving Writ to your Grace at large this Week, in anſwer to all yours that I had before me, I have little to add here more then the ſending your Grace his Majeſties Declaration of the War againſt the *French*, publiſhed this day in the uſual form, and a Copy of ſuch a quantity of Arms, and Ammunition, as my Lord General, upon conference with the Commiſſioner's of the Ordinance, found his Majeſty could ſpare at preſent for the ſervice of that Kingdom, which at the next Council day will, I ſuppoſe, be allowed of. In the mean time your Grace will be pleaſed to bethink your ſelf, and direct to whom the Proviſions ſhall be delivered. Captain *Patrick* is Arrived here, much magnifying his Country, but reſolving never to return thither again; this Evening he brought me your Grace's Letter in favour of Sir *John Stevens*, who keeps in of the Gout. The thing he deſires ſeems hard, as likewiſe the way of doing it, but having your Grace's recommendation, I doubt not but it will be effected; which I will adviſe with Mr. Sollicitor in, from whom I have nothing of the Papers I put the other day into his hand, but this being the laſt day of the Term, I hope he will have now leiſure to diſpatch them. The infinite reſort of People to the Town, and it falling out to be very warm Weather here at the full of the

the Moon, we fear an encreaſe of the Plague in the next Bills, for which Reaſon his Majeſty ſuſpends his reſolution of ſending for the Queen. A Squadron of 25 Ships under Sir *Chriſtopher Mings* hath ſet Sail out of the *Downs* to look after a leſſer number of the Enemies.

Yours, &c.

White-Hall, Feb. the 17th. 1666.

My Lord,

I See by your Grace's Letter of the 10th. how Irregularly, and ſlowly all our Letters yet go to you, but I hope the fair Weather will remedy that, of which we have had ſo much this Week, that it makes us afraid; but God be thanked, notwithſtanding the great conflux of People to the Town, the laſt Bill was augmented, but 7 only, and this Night the Queen and Dutcheſs are Arrived here, which hath filled this end of the Town, as if it had never been empty. Sir *Chriſtopher Mings* found the *Dutch* upon their Coaſt, but aſſoon as he appeared, their Squadron drew it ſelf behind the *Hiclings*, and this day ſeveral Letters from *France* aſſure us Sir *Henry Smith* is ſafe at *Cadiz*.

Sending

Sending to Mr. Sollicitor for the Papers Signed by the Judges of the validity of the *Veſting* Clauſe in the Bill, he tells me it is done to content, but not ſo compleatly with Relation to the Power of the Council-board, as he could have wiſhed; and that Sir *Allen Broderick*, deſiring to make himſelf more wellcome after ſo long a ſtay here, obtained to carry it, which I not knowing till now, have not gotten ready the Letter to the Parliament, nor the Power to your Grace to diſſolve it. Indeed my Lord Chancellor hath not returned me the Papers, which I hope may be my excuſe till *Tueſday-night*. I have adviſed with his Lordſhip concerning the time for diſſolving the Parliament, which, conſidering how long theſe Papers have lain in our hands, we conclude had beſt be done at the end of *March*; with that Condition of continuing it longer, if your Grace ſhall think fit; and with theſe all the Papers remaining in our hands ſhall without fail be ſent your Grace, and further anſwer to your Letter, which I have not had time to ſhew his Majeſty; The Warrant for Sir. *William Temple*. I will preſume to ſuppreſs, becauſe his Patent for that Title is already paſſed here, and, upon this occaſion give me leave to tell your Grace, he ſerves his Majeſty with infinite ſatisfaction, to the *Marquis Caſtel Rodrigo*.

Yours, &c.

White-Hall,

in the mean time I ſend your Grace here incloſed thoſe Letters from his Majeſty I promiſed in my laſt; and was in good hopes I ſhould have been able to have given you a good account of the Bills for *Ireland* lying now before us, which his Majeſty, having been abroad a Hunting Yeſterday, had not leiſure to hear read as he appointed, ſo they are remitted till *Munday* next; on which there is a Council appointed purpoſely for them that you may have them all with you before the Parliament ends.

Mr. Sollicitor ſays, to whom his Majeſty committed the Conſideration of that Buſineſs, that your Grace and Council may Iſſue Commiſſions for the executing the Act to the Commiſſioners appointed for that purpoſe.

His Majeſty promiſeth that, the Commiſſioners here for the Sick and Wounded ſhall make good the 707 *l.* expended over and above the Income of the laſt years Prizes, upon Priſoners, Sick and Wounded, Soldiers, and Seamen, and that for the future they ſhall name a Deputy in that Kingdom, and furniſh him with Money for the like occaſions. I have not yet his Majeſty's Reſolution whether the 350 *l.* ſhall be made good for the Tranſporting of Soldiers the laſt year to *Briſtol*, but I will ſpeedily obtain it, and Tranſmit it to your Grace; and becauſe theſe foregoing Periods are the anſwers to the ſeveral Letters from my Lords of the Council there to me, I beſeech your Grace to let me know, whether the form requires any more from me than thus giving your Grace my anſwer, that accordingly I may behave my ſelf in ſuch Caſes for the future. Books of *Darby Houſe* are mak-

ing

ing ready to be tranſmitted to you by the firſt. My Lord Chancellor and Mr. Sollicitor make a difficulty in doing any thing for Sir *John Stevens*, not only for the Preſident ſake, but for the Irregularity of his demand; however upon your Grace's recommendation I will do my endeavour to ſerve him, altho' it were better he was gratified ſome other way.

I am, &c.

White-Hall, *Feb.* the 27th. 1666.

My Lord,

IN my laſt I told your Grace yours of the 17*th.* to me were miſlaid, and fearing I ſhould not retrieve them again, I begged Duplicates of them; ſince I have found them, and had the opportunity of reading them to his Majeſty upon the important Point of which *viz.* the relieving you with ſome Money from hence, my Lord Chancellor declared your Grace might depend upon the having of 30000 *l.* or 40000 *l.* ſent you this year. Sir *William Coventry* was Charged to tell your Grace what Guards ſhall be allowed to your Coaſts this year, upon which the Ammunition

ſhall be loaded with a greater Proportion and ſent you, as your Stores become better provided: but I would Humbly adviſe your Grace to appoint ſome body hence to call for the ſaid Ammunition, and to ſee it loaden on Board the Ships, for, in ſuch Caſes, Men are not ſo apt to remember other Mens Buſineſs as their own, and perhaps Mr. *A. Hatſell* may not be an improper Man for this work, who was with me that Morning about the 350 *l.* for the Tranſportation of the Soldiers laſt year to *Briſtol*, which his Majeſty hath commanded the Treaſurer of the *Navy* to Pay, to whom I ſent him. We know not what more to ſay to the Informations given my Lord of *Orrery*, than that we will make the beſt we can of them, and ſend the like to your Grace if any of Moment come to our hand, that by comparing them in each we make the larger Diſcoveries.

With this I ſend your Grace, a Petition preſented to his Majeſty from *Warren* and *Jegow*, which his Majeſty commanded me to refer to your Grace, to do therein as, after your enquiry into the Matter, you ſhall ſee Cauſe, remembring well that he granted the Paſs at the Interceſſion of my Lord of St. *Albans*, whoſe Letter, for your further Information, I ſend with the Petition. I likewiſe ſend your Grace an account of what paſſed Yeſterday in Council upon the reading of the *Iriſh* Bills, that your Grace may ſend back your opinion upon theſe which are ſuſpended.

I am, &c.

White-Hall,

White-Hall 13th. *March* 1666.

My Lord,

THe day we left this Town, I received two from your Grace of the 28*th.* paſt, and firſt Currant, with many particulars in them, which will require his Majeſty's judgment and Directions; toward the procuring of which, I left them here to be ſhown to my Lord Chancellor, but am ſo late Arrived to day, that I have not had time to wait upon his Lordſhip, or as yet to ſee the King. I brought with me my Lord and my Lady of *Oſſory*, who will do me the Honour to Sup with me this Night, ſo that I have little time left me to look over my Papers, and to ſee what News I have worth your Grace's knowledge. In the mean time I have recommended Tranſcripts of ſome Letters I have received from a private hand in *Holland*, which I think will give you a better account of the preſent Condion of that Country, than any other I have now before me. I am not able to ſay whom the Cypher means, till I ſpeak with the Man, through whoſe hand the Correſpondence is driven. Sir *Jeremy Smith* is in *Cadiz*, and Sir. *Richard Fanſhaw* with Sir *Robert Southwell* are gone to *Madrid*, having left the Court of *Portugal* in fair diſpoſitions to embrace a Peace with *Spain*, ſo that one ſingle point be granted them, which they

ſay is the only Subject of the War, and ſhall be ſo for ever, if they do not obtain it, *viz.* the acknowledging the King to be King of *Portugal*, and if this be granted we are like to cloſe in all other points with *Spain* to our content.

Sir *Chriſtopher Minns* is in the *Elve*, all his Ships ſafe and in good condition with him, Mr. *Coventry* ſtill perſiſts in aſſuring we ſhall not loſe the *Swede*, but Sir *George Talbot* ſays the King of *Denmark* hath ſigned and ratified his Treaty with *Holland*. The Biſhop of *Munſter* hath ſuſtained ſome loſs, by unſeaſonable attempts of ſome of his new raiſed men upon the *Flanders* ſide, for which *Holland* is very angry with *Spain*, but on his own ſide he hath taken a conſiderable place from them, with a defeat of a good party of their men. My Lord *Hollis* hath been detained at *Paris* thus long meerly by his Gout, but the World ſuſpects, and talks much of it, that he is agreeing us again with *France*. I leave to other Letters to tell your Grace how well his Majeſty hath been pleaſed with this Journey, how much he likes *Audley-end*, and how deſirous he is to treat with my Lord of *Suffolke* for it.

I am, &c.

White-

White-Hall, 17. March. 66.

My Lord,

I Have received none from your Grace ſince thoſe I mentioned in my laſt, upon which conferring with my Lord Chancellor, with relation to the neceſſities of that Kingdom, his Lordſhip told me you may depend upon receiving in ſome convenient time, ſuch a ſum of money as I formerly named to you; but to make the performance of it more effectual, my humble advice is that your Grace in your next to his Lordſhip, or to my Lord Treaſurer, will put them in mind of it.

His Majeſty allows that you may ſell the effects of the *Guiney* Ship preferably to the former Proprietors, and give them your paſſport to tranſport them ſafely into *France*. As to the *French* Priſoners, his Majeſty reſerves his final determination concerning them, till he hears with more certainty, than he can do yet, how that Crown will proceed with thoſe of his Subjects, taken before and ſince the Declaration of the War; tho my opinion is that your Grace may uſe your liberty with relation to thoſe of this *Guiney* Ship, as you ſhall think fit, ſince the ſeting them free may benefit the ſale thereof, ſince they are like to be the Buyers. As to your Grace's other Queſtion, whether you may connive at, or give Paſſes to Merchants of that Kingdom offering

to tranſport into *France* Fleſh, Fiſh, Hides, and Tallow, *&c.* his Majeſty conſidering the benefit the Kingdom will have by it, is content to allow you that Liberty, ſuppoſing that they will take care themſelves not to be made a prey there; but that your Grace may at the ſame time ſee how dangerous it may be to your Quiet, to ſuffer the Correſpondence to be too eaſie between you and *France*. I herewith ſend your Grace a Letter together with an Information put into my hands this day by my Lord General, which it will be perhaps your care to look after. I likewiſe ſend your Grace his Majeſty's determination in Council concerning the Lord High Admirals rights, occaſioned by ſome Queſtions moved by the Civilians here, as alſo a Paper from Sir *Peter Pet*, ſent me ſome time ſince by my Lord *Angleſey*. Alſo I ſend you his Majeſty's allowance for Mr. *Alexander Popham* to be a Deputy Lieutenant of *Somerſetſhire*, which your Grace is deſired to confirm to him in the uſual manner, with which I will end your preſent trouble, ſubſcribing my ſelf with all reſpect.

Yours, &c.

White-

White-Hall, March *the* 20. 66.

My Lord,

I Have receiv'd your Grace's of the 8*th*, with an account incloſed in it from my Lord *Angleſey*, ſhewing how ſhort the Revenue in coming in is of the expences that muſt of neceſſity iſſue, which I had an opportunity of repreſenting again this Afternoon to his Majeſty at my Lord Chancellor's, upon which his Majeſty commanded me to mind him at his next going to my Lord Treaſurers of diſpatching the Sum I have formerly mentioned to you, aſſoon as the *occaſions* of ſetting out the Fleet were provided for; but at the ſame time it was offered to his Majeſty's conſideration whether the ſale of the *Rich* Prize Ship at *Duncannon*, and of another Ship of Currants at *Bantry*, condemned here by the Court of Admiralty, would not ſufficiently ſupply your preſent occaſions? For the latter of which I moved his Majeſty, by the recommendation of the Lords Commiſſioners, that he would be pleaſed to order your Grace to command it might be preſently ſent back into *England*; ſince the Commodities would not go off well there, in the *Belief* of which they had ſent a Man into *Ireland* to take poſſeſſion of her, and bring her over hither; but his Majeſty's Anſwer was it ſhould be left in your Grace's hands to diſpoſe of it the beſt you could, towards the ſupplying the Publick Occaſions there. Upon all which my concluſion is, that

in your next preſſure for Money from hence, your Grace ſhall do well to make ſome Computation what quantity theſe accidents are like to produce for you.

I forgot in my laſt to tell your Grace, that the laſt Council day his Majeſty calling to mind the Regiſters Bill lying here had eſcaped examination, when the others were brought before him, commanded Mr. Sollicitor to open it, but it ſeeming to the Council to be defective, and inſufficient in many points, and to be partially drawn, with relation to the plaus of *fining* the *Regiſters*, his Majeſty bid me give you an account of it, but if you *ſaw* there were time for it in this Parliament, and thought ſuch a Bill would be of benefit to the Kingdom, your Grace ſhould cauſe it to be revived, and ſent over again hither. In the meantime I am ſorry your Grace hath cauſe to obſerve, that the temper of the Houſe of Commons grows worſe by ſitting longer, which, according to our experience here in *England*, hath always fallen out amongſt us, ſo I hope when you have finiſhed the Eſſential matters, you will not entertain them with ſuperfluous Things.

I am told from thence that my Proviſoe in the Act is ſo ill penned, as to need much of your Grace's Favour; which I humbly aſk of you, and am, *&c.*

White-

White-Hall *March* 24th. 1666.

My Lord,

I Have received your Grace's of the 17*th.* with a new draught of a Letter for Diſſolving the Parliament there on the 2*d.* of *April*, the Forms having been found defective, and with it alſo a Liſt of the Bills approved of here, which ſhall within a day or two be put into ſafe hands to carry to your Grace. I ſuppoſe it will be the ſame that ſhall alſo carry the *Adventurers* Books, which they concern'd in them here deſire, may not be in the hands of a ſtranger, but ſubmitted to your Grace's view and inſpection, or whom you ſhall pleaſe to appoint. I was ſorry to underſtand from your own Letter, that your Grace was indiſpos'd, becauſe I know you never complain without cauſe, that you ſometimes forbear to do it when you ſufficiently have ſo, but my Lady Dutcheſs's Letters ſpeaking hopefully of your recovery, the ſame Argument aſſures this will find you well.

All the late Letters from thence tell me in how much danger my concerns in that Kingdom were, by the ill Penning of my Proviſo, of which complaining to Mr. Sollicitor, he hath ſhewn me a way how it may be remedied, being brought before your Grace in Council, and ſet down in Council, which I humbly beſeech you to caſt your eyes upon, when

Robin

Robin Leigh ſhall preſent it to you; and if you call to mind what part I had in procuring Mr. *Shapcot*'s pardon, you will wonder at his requital of me in this Buſineſs, and draw an uſeful remark from it.

Laſt night I received a Letter from *Madrid* dated the $\frac{4}{14}$ Current ſigned by Sir *Richard Fanſhaw* and Sir *Robert Southwell*, giving an account of their arrival there, and their having delivered to the Duke of *Medina delas Torres* the mind of *Portugal* towards their Agreement with *Spain*, which is the ſame I told your Grace in my former. We ſhall quickly hear what they will reſolve in it, in the mean time the Queen Mother preſſeth us much to be Friends with *France*, but hitherto the Overtures have made little impreſſion on us. On *Munday* my Lord of St. *Alban*'s begins his Journey thither. The Bp. of *Munſter* is preſſed much to ſend his Deputy to meet thoſe of the Neighbouring Princes, who are concerned in maintaining the Peace of the *Weſtphalian* Circle, wherein Overtures will be made him of a Peace with *Holland*; of which, giving an Account to his Majeſty, he hath deſired him to ſend a Perſon thither, who may be Witneſs of the Tranſactions, and, becauſe he is in all Qualities ſufficient for it, and ſhall not make any long ſtay, his Majeſty hath appointed Sir *William Temple* to this Employment. My Lord *Carlingford* had Orders ſent him laſt week to ſtay at *Vienna*, in caſe he were not come away, and becauſe two Ambaſſadors are coming hither from *Sweedland*, his Majeſty hath likewiſe allowed Mr. *Coventry* to return, in hopes he will leave our Affairs there in a good Condition. My Lord *Hollis* is, we ſuppoſe,

poſe, by this time ready to Embark at *Rouen*, ſince his Gout left him; he hath been detained ſome days longer than he deſired, by the Queen Mothers deſire, who deſigned his Caſual meeting with ſome of the *French* Miniſters in her Circle, that he might hear ſomething they had a mind to ſay to him... What that was his next Letter will tell us.

I am, &c.

White-Hall, *March* 24th. 1666.

My Lord,

I have received your Lordſhip's of the 2*d*. from *Charleville*, which I am ſorry for, becauſe I fear you will not be at *Dublin* when my Buſineſs will need your help; Mr. *Shapcot*, whom I had the good luck to ſave from hanging the laſt year, having diſcovered a notorious defect in my Proviſo, which Mr. Sollicitor tells me my Lords of the Council may explain in my favour, *Robin Leigh* will wait on your Lordſhip to ſhew you the way Mr. Sollicitor preſcribes therein, it will not be in the power of any body to perſwade me your good Will can be wanting to me when ever I have need of it.

Sir *Robert Talbot*'s Letter is ſigned and put into the hands of his Son, from his Majeſty to my Lord Lieutenant; with your Lordſhip's leave, I think ſuch a one to the Commiſſioners would be

be very Improper, remember what my Lord of *Antrim*'s of that kind coſt us the laſt year.

By an expreſs that will carry over the Bills the next week, your Lordſhip ſhall receive a Cypher from me, tho' I am much deceived if we did not deliver you one here, in the mean time I am ſorry you foreſee you are like to have ſo much need of it. What you write me in this laſt confirming ſtill that which is ſent to his Majeſty in yours of the *7th.* of *Febr.* I cannot find yet what Letter you mean, and demand a duplicate of that relating to my Ld. of *Roſcommon*; I remember there was one ſent over in his favour, and by a very good token that I got it ſign'd ſome very few days after I heard of his Elegant Speech in favour of my Ld. *Clanmalira.*

The King will call upon me for an Anſwer to the Letter I wrote you, inquiring after the condition of his 50000 *l.* deſign'd for his Buildings, and how far he may depend upon it. Sir *James Shaw* offers, him that upon a reaſonable Intereſt he will advance the Money here.

I am, &c.

P. S. *I have inquired after the perſon you deſire ſhould be ſecured, and hear he is in* Wales. *I do not find by your Letters that all mine go ſafely to you. My Lord Lieutenant, and my Lord* Angleſey *have often repreſented to his Majeſty the want you are in there of ſome Moneys, which we hope will be in ſome meaſure ſupplied by the ſale of the Prizes; notwithſtanding which, when the expence of ſetting out the*

the Fleet is over, towards which we are fairly advanced, there will be care taken to tranſmit 30000 *l.*

White-Hall, April 21*ſt*. 1666.

My Lord,

HAving written to your Grace in my own ill hand the ſum of our preſent News, I have little to add to this, not having beſides any of your Grace's before me unanſwered, but ſuch as relate to particular Perſons from my Lords of the Council. I have two of the 4th Current, the one incloſing an Order of the Houſe of Commons for 4 additional Subſidies, which with other Reaſons had rendred it fit to continue the Parliament beyond the time preſcribed in his Majeſty's laſt Letters; alſo the Preparation of another Bill for ſuſpending the Privileges, as to ſuits in Law, and Wages of the Members for ſome time, for their asking his Majeſty's leave to liſt 16000 *Engliſh* Proteſtant Foot, and 4000 Horſe to be in readineſs againſt any Invaſion; all which his Majeſty intirely approves of. The other Letter praying his Majeſty to confirm the Payment of 28 *l.* 15 *s. per* Week to the Commiſſioners for the *Act of Settlement*, which likewiſe his Majeſty aſſents to, according to which I expect your Grace will be pleaſed to tranſmit the Copy of a Warrant hither for his Majeſty's ſignature. Here incloſed I likewiſe

wiſe ſend your Grace an Order of Council in favour of the pretended Proprietors to the Currant Ship, which you will be pleaſed to ſee obſerved there, and whilſt there is a review made here of the Cauſe, as is ſpecified therein to command that no imbezzelment be made of it, and the Cargo. To Morrow I ſhall remind my Lord Treaſurer of the 15000 *l.* to your Grace's ſatisfaction

I am, &c.

White-Hall. May 1*ſt.* 1666.

My Lord,

IN my laſt I promiſed your Grace to read your Letter the next day to the King, of the 15*th* paſt, which I accordingly did, together with that Incloſed from my Lord of *Orrery*, communicating to your Grace his ſuſpitions of the intention of *France* to create ſome trouble in that Kingdom, and expoſing the inſufficiency of his Garriſons to reſiſt the attempt of a Foreign Enemy, or any trouble at home, and propoſing amongſt other remedies the ſettling the Militia there after the manner of *England* among the Proteſtants, as likewiſe ſecuring ſome of the leading and notoriouſly diſaffected Roman Catholicks, and Phanaticks, to which his Majeſty agrees, but recommends to your Grace to execute it with that diſtinction and moderation, as may not enrage the whole

whole Parties, or drive them to a conjunction one with another; As for the other Remedies, they will take place in courſe, when your Grace is able to ſet them on Foot. Upon the whole matter this gave a good occaſion to his Majeſty to recommend very effectually the ſending your Grace with all ſpeed the 15000 *l.* upon which Mr. *Vice Chamberlain* was orderedto attend my Lord Treaſurer this Day, and to contrive with his Lordſhip the ſending immediately to your Grace the ſaid Sum out of the aſſignments in his hands, deſtin'd heretofore to the payments of the Biſhop of *Munſter*. Your Grace knows my LordChancellor's opinion concerning the Charter of the *Canary* Company, notwithſtanding which, upon what you write me concerning the prejudice it will be to the Trade of that Kingdom, I have prevailed with his Majeſty to ſuſpend the ſending freſher orders to you therein, till we hear again from your Grace in that matter.

By the next your Grace ſhall receive his Majeſty's Warrant for the Iſſuing out ſuch an order of Council there for the tranſportation of the Commodities of that Kingdom, and it was recommended to his Royal Highneſs, to ſignifie his Majeſty's pleaſure that ſuch tranſportations be not moleſted by any of the Ships of War.

In concluſion his Majeſty ſeemed very much troubled and ſurprized at the ſmall value of the Prize Ship called the St. *John of Deipe*, and ſeemed inclined thereby to hearken to any Propoſition that could be offered him of accommodating the Affairs of that Kingdom ſome other way, *&c.*

White-

White-Hall, May 15. 66.

My Lord,

IMmediately upon the Receit of your Grace's, I had occaſion to wait upon my Lord Treaſurer, to whom I thought fit to impart the contents of them relating to your wants there, and the neceſſity of diſpatching away ſpeedily the 15000 *l.* for which his Lordſhip ſaith he is under ſome kind of neceſſity of tranſacting by Sir *Robert Viner*'s hand, becauſe he can only help him to the Money, tho he added he would be glad to know whom the Perſon is that would tranſmit it at a better rate, acknowledging Sir *Robert Viner*'s conditions to be exorbitant ones.

Herewith your Grace will receive the new Letter ſigned for the Diſſolution, or Prorogation of the Parliament there, and when your new Bills arrive, all poſſible diſpatch ſhall be given them. Sir *Henry Titchburn* mentioned in a Letter to me a Proviſo in one of them, giving him, according to a recommendation to the Houſe of Commons 2000 *l.* but your Grace ſays nothing of it.

I will preſume to ſay of my opinion to your Grace, that tho' the new Militia you are forming there may be of uſe againſt foreign Enemies, yet, if they be encouraged to land by a Party in the Country, you may chance thereby to put Arms into the hands of thoſe who will not eaſily be taught to uſe them, or may be induced to turn them againſt you, and therefore

conclude

conclude the beſt ſecurity will be in the formed Army, if it be but tolerably well Diſciplin'd and Paid; and becauſe I fear you are not in a condition of ſatisfying them in this laſt point, his Majeſty, upon diſcourſe of this to day, bad me warn your Grace of bethinking your ſelf by what method you ſhall make them more, if there be occaſion for it, and if the freſh advice we have be true of the *French* Kings intentions to imbark 6000 Men upon his Fleet, as they paſs by *Rochell*, it is to be feared they will be rather imployed to trouble that Kingdom, than any other part of his Majeſty's Dominions.

I wiſh your Grace could oblige him, who acquainted you with a deſign upon *Plimouth*, to be a little particular in his information, that we may know whom, and what Party we have to fear in it.

My Lord *Lovelace* tells me of two dangerous Perſons who have lately left *Barkſhire*, and retired themſelves, as he is informed, into *Ireland*; the one is called *Ham*, and the other *Lavington*. Mr. *Owen* your Servant, and Mr. *Cook* a Lawyer know them. Your Grace will be pleas'd to conſider whether you may uſe them or any Body elſe to find them, and examine them upon the cauſe of their going thither;

I am, &c.

White-Hall, May 26 66.

My Lord,

IT ſeems the Eaſterly Winds we have had of late have detained our Letters from that Kingdom, as they did our Fleet at the *Buoy* of the *Nore* from going to the *Downs*, where we conclude them, by this time, exalted much by the concurrent intelligence from *Holland* that their Fleet is alſo ready to come out; but whether they will come to us, as the laſt year, is the next queſtion, tho' the former be alſo much controverted upon their great want of Men. In the mean time our Intelligence ſtill holds, that the Rendezvous of the *French* Fleet will be at *Rochell*, and that they are to take in 6000 Foot there, and that the King of *France* will give them a Viſit; by all computation we judg them there already, for Letters from *Tangier* of the 6th. ſaid they expected them there, but without any fear of them, and from *Lisbon* on the 14th that they paſſed before the mouth of the River; if they ſhould take in Land Men, every Body concludes they muſt have ſome deſign upon *Ireland* or *Scotland*, if they ſhould think of joyning with the *Dutch* Fleet by the North: Wherefore it is time your Grace bethink your ſelf what you would do in caſe the former happens.

My Lord *Holles* is Arrived, and ſaith he met with much more civility and good looks at his coming away from *France*, than he had all the while he was there, and concludes by all

all his obſervations, that they are ſorry for having put out their Declaration againſt us, and would be glad, upon any reaſonable terms, to put matters into the State they were before. In *Flanders* they grow leſs apprehenſive of them ſeeing them ſo ingaged in the Maritime deſign, and being ſtrengthned themſelves with ſuch an addition of Horſe and Foot out of the Biſhop of *Munſter*'s diſſolved Army.

From *Spain* we hear nothing yet, the fear they had of the *French* invading them being leſſened, and the Council there being manifeſtly divided in all important points before them. My Lord of *Sandwich* is there by this time, and his Majeſties Letter to the Queen, anſwering the expoſtulations upon our maintaining *Portugal* in that great point of the Title of King; ſo they cannot be long without giving us ſome reſolution.

My Lord of *Orrery* and my Lady have been prevailed with by my Wife and me, to do us the Honour in accompanying us the next week for 8 or 10 days at the moſt, into *Suffolk*. My Lord of *Suffolk* hath been pleaſed to invite us going and coming to *Audley-End*, and my Lord *Croſts* is our Port for the reſt of the time.

I had the opportunity of ſhewing my Lord Chancellor what your Grace wrote upon the *Roman Catholick* Subſcriptions, and the meeting your Grace hath allowed a certain number of them, to perſuade others to do the like. His Lordſhip approves much of it, ſaying, It was conſonant to your Inſtructions, and the ends his Majeſty hath always purſued in that Kingdom; to this your Grace hath likewiſe his

Majeſty's approbation, as he tells me, in the incloſed Letter. And I confeſs this concurs ſo much with my own opinion, that I conclude there muſt either be a way found out of making them live comfortably to themſelves, and with ſecurity to the Government, or being ſuch Numbers as they are, they ought in Reaſon of State to be forced out of it, and the former end will I hope be attained by the way your Grace has now before you. There ſhall be care taken to ſet all the Bills in the firſt and ſecond Box diſpatched at Council ſoon enough to be ſent back to that Kingdom.

I am my Lord with all reſpect, &c.

White-Hall, June 26th. 1666.

My Lord,

I Have received your Grace's of the 16*th*. with a caſual Meſſage you ſent to the *Romiſh* Clergy then Aſſembled; both which I read to his Majeſty, who approves intirely of your Proceeding with them: My Lord Chancellor was of opinion your Grace ſhould by no means admit of any alteration in the words of the Remonſtrance, leaſt the doing it ſhould invalidate all the Subſcriptions of thoſe that are already made, and put them in a State of diſputing again whether they ſhould ſubſcribe. Upon the whole matter his Majeſty longs much to hear the concluſion, that he may know what he may truſt to of both Parties.

In

In mine of this Day Seven-night I gave your Grace an account of the Cities promiſe to lend the King 100000 *l.* out of which his Majeſty ſtill perſiſts to promiſe he will ſend 15000 to you; therefore it is time you begin to call poſitively for it.

We are ſorry to hear you have ſuch Symptoms of troubles from the *Iriſh*, it is certain *France* will ſtir there if it is poſſible, without caring for what it may coſt them in the future, ſo it gives us preſent trouble; with all theſe ſuſpicions and our own concernments in them, we can learn nothing poſitively of the deſign of *France*, or of *de Beanford*'s Proceeding toward us; of twenty Correſpondents at leaſt eſtabliſhed in the Ports of *France*, we have ſcarce had one Letter theſe two Months; either they dare not write, or their Letters are ſtopped.

We have flying reports here as if the *Dutch* Fleet was upon our Coaſt near *North Foreland*, 80 Ships at leaſt, and accompanyed with many Fireſhips, and other Merchants full of Men, with all Tools to work upon a Landing. His Majeſty hath ſat in Council moſt of the Morning and Afternoon diſpoſing the Militia as uſefully as he can order it, towards the repelling an Invaſion, and making other Bodies of Foot as well as he can without Money, to ſecure us; the particular form whereof ſhall be ſent your Grace by the next, to ſee whether any part may be practical in that Kingdom, in caſe you have occaſion to make uſe of it.

We do not yet know where *De Beanfort* is, but we are aſſured from *Holland* their Fleet expect a conjunction with his in this threatned de-

ſcent, and they there complain he hath delayed his conjunction longer much than was promiſed. Ours is yet in the *Buoy of the Nore* as we are aſſured, in all circumſtances to put to Sea if they had their compleat Number of Men, which we are furniſhing them as faſt as we can with a ſevere Preſs. This is the Sum that our condition affords worth your Grace's knowledge.

I am, &c.

White-Hall, 3d. of July. 1666.

My Lord,

I Am to acknowledge your Grace's of the 27*th* with the new eſtabliſhment of that Kingdom, which yet I have not had opportunity to poſſeſs his Majeſty with, neither hath my Lord Chancellor, I ſuppoſe, had it to entertain his Majeſty with the Subject of his, of which your Grace was pleaſed in the ſame Packet to ſend me an Extract, all our time being taken up in providing againſt a threatned Invaſion, which now we begin to believe they will defer, and not hazard the landing of an Army till either can ſee ſome diſcontented Party up in one of the three Kingdoms, or have tried their ſtrength with us once more, and that ſucceſsfully at Sea. The News this night tell us they are lying at the *Gun-Fleet*, and that they are hourly expecting the Arrival of the *French* Fleet to them. M[illegible]

My Lord of St. *Alban's* Letter to the King ſpeaks uncertainly of *Monſieur de Beaufort's* being at *Rochel*, but Mr. *Montagu's* to me ſaith it poſitively, and that he is to accompany the New Queen to *Portugal* before he comes hither, fearing the Ships ſhe hath for her Convoy will not be ſufficient to carry her ſafely to *Lisbon*, whilſt the *Spaniſh* Fleet lyes on that Coaſt. But we ſuſpect this may be impoſed upon them to amuſe us, and many other expreſſions he makes in his Letter of the unwillingneſs there to make the quarrel with us more deſperate than the pure obligation of Honour engages them. Notwithſtanding this we have convincing arguments to aſſure us that the *French*, by a Conjunction with the *Dutch*, are endeavouring to kindle a Flame in his Majeſty's three Kingdoms, that he is induſtriouſly ſeeking a General to command the diſcontented Party here, and had ſet on Foot a practice to let *Lambert* at Liberty, and another for as conſiderable a Head, that their hopes of ſucceeding this way are more Piquant in *Scotland*, and that the Invaſion from the *Dutch* at leaſt, is deſigned upon *Scotland*, and the *French* upon *Ireland*.

I am, &c.

White-Hall, 10*th July*. 1666.

My Lord,

I Have received your Grace's of the 4*th*. with an Account in it of the Prize Ships and Goods ſold, amounting to a much leſs Sum than we imagined, but I have not had the opportunity of ſhewing it to his Majeſty or my Lord Chancellor. I hope the ſecond 15000 *l*. is with you before this time, to furniſh your Grace with Money towards your Progreſs, which I think you take ſeaſonably as to the prevention of any troubles from within, and without that Kingdom.

We cannot yet hear any more of *Monſieur Beaufort* than from the reports at *Paris* that he is at *Rochel*, but making no haſt hither; whether it be ſo indeed, or given out to amuſe us, we cannot make any fixed Judgment; there lye ſcattered upon the Coaſt of *France* many Foot Regiments, but no where in a Body that we hear; ſome conſiderable Numbers of them were deſigned to be drawn together to make a mock Siege, for the Entertainment of the Ladies of the Court, which we hear is yet deferred beyond the time appointed.

I think your Grace takes a wiſe Courſe and a very ſafe one, in referring the whole matter concerning the Subſcription to the Remonſtrances of the Romiſh Clergy to ſome Lords of the Council there: Provided, that after their opinion, you will think fit to give yours ſingly to his Majeſty, and thereby temper any

exceſs

exceſs of ſeverity againſt that Party, the exerciſe of which in this Conjuncture may increaſe that number of diſcontented People, and render them more capable of taking deſperate Reſolutions; tho' I confeſs on the other ſide, it will be a hard matter to be very ſecure of thoſe who ſee their Eſtates enjoyed by other Men, till time hath accuſtomed them to ſuch a digeſtion, and our power with our Neighbours make them ſee a manifeſt inſecurity in Rebellion.

I have little of News to add to my laſt; great Numbers of Men are daily ſent down to the Fleet, but not ſuch as pleaſe our Generals, either to their quantity or quality: they have with them this Day 86 Men of War and expect 14 more out of the River, beſides Fire-Ships; when all theſe are ready, which we hope will be in a few days, we ſhall have little reaſon to fear the force of the *Dutch* Fleet, which lyes ſtill upon our Coaſts, and tells Paſſengers they will patiently expect our coming. We continue our Preparations at Land, but without iſſuing out any Money, the Trained Bands being warned to be ready upon the Coaſts, and the Inland Counties ſent to certain Rendezvous appointed them, the fourth part of their Horſe with a Months Pay in their Pockets, that they may bear a ſhare in the burthen. My Lord *Northampton*, *Lyndſey* and *Cleveland* pay each of them five Companies toward the Regiments. And Eleven Principal Lords and Gentlemen pay each of them a Company, to be received into Pay as ſoon as they are muſtered. The Regiment is increaſed to twelve Companies, Colonel

lonel *Sidney*'s to ten, and the *Scotch* Regiment to twelve; The Lord *Middleton* hath Commiſſion to be Lieutenant General, commanding for the preſent, the Militia of *Kent*, and thoſe Troops that ſhall be received to them. This is all his Majeſty hath done yet as to our preparation by Land; if the neceſſity appears more preſſing, this force muſt be augmented, and further modelled.

The Deputy Lieutenants of *Sommerſetſhire* deſire a Commiſſion from the General to Sir *Edward Philips* to be Lieutenant Colonel to Colonel *Stowell*.

The Queen ſet forth this morning to *Tunbridge* to take the Waters, and my Lord *Offory* follows thither to morrow.

I am, &c.

White-Hall 24*th* July, 66.

My Lord,

I Have received your Grace's of the 28*th* with an Extract therein of what you wrote to my Lord Chancellor, with relation to the Subſcriptions expected from the Romiſh Clergy, Nobility, and Gentry; upon which Subject diſcourſing with his Lordſhip ſince, he hath recommended it to me to put his Majeſty in mind of taking ſome ſpeedy reſolution therein,

therein, to whom I likewiſe ſhewed the Letter and the ſaid Extract.

Before this time I hope your Grace hath received the 2d 15000 *l.* with aſſurance that no deductions or charge of Exchange ſhall be laid upon it. I am glad that ſmall Rebel *Nangle* is fallen in his Enterpriſe; his ſucceſs will I hope diſcourage others from troubling you in the like kind.

Our minds are wholly taken up with Expectation of News from the Fleet, yeſterday they were within four Leagues of the Enemy, who did not appear to conſiſt of above 90 Sail, great and ſmall, whereas we have that number of fighting Ships, and, in all appearance every way the advantage of them, except in the Wind, which doth not yet pleaſe Us. Your Grace ſhall not fail to hear it as ſoon as it comes.

We have no certain news of Monſieur *de Beaufort*, they complain much of his abſence in *Holland* from the great Engagement, which being over, perhaps they will think themſelves free to Treat without them.

I cannot obtain any further Explanation of the *French* Letter, nor learn any progreſs upon the Subject of it; which makes me ſuſpect it was framed to get money. I cannot make your Grace the returns you deſired upon the additional Common-Prayers. My Servants aſſured me the printed Papers were defective and ſhort of what the Warrant ſuppoſes, therefore I beſeech your Grace new Papers, I mean the printed ones of the Prayers be ſent us by the next.

I am, &c.

White-

White-Hall 31*ſt* July. 66.

My Lord,

MY laſt on *Saturday* prepared your Grace for the good news which is ſince come confirmed to Us by Sir *Tho. Clifford*, and ſince publiſhed here by Bells and Bonfires, to give your Grace the Example of celebrating it in the like manner, I have ſent an extract of our *Flanders* Letters. What we wiſh is, that the fruits of this Victory may be moſt viſible in the diſpoſition of *Holland* to treat with Us, which they will have leiſure to do before their Fleet can be refitted to come out again; and we may truly hope, that having had no Succor from the *French*, they may think themſelves free to treat without them.

I am, &c.

White-Hall 14*th* Aug. 66.

My Lord,

I Have received your Grace's of the 7*th* written on a new Poſt Day, to authoriſe the change I had offered to your Grace, accordingly I ſhall make it my care to ſee thoſe rules obſerved in the future, you are pleaſed to recommend for the diſpatch of the Packet-boats,

recom-

recommending it to my Lady *Cheſterfield* this year, and ſeeing it purſued the next more effectually, when my Lord *Berkley* and you come into the form, as we are promiſed we ſhall.

I am glad the Parliament there is diſſolv'd, eſpecially when I reflect upon the diſtempers ſuch Bodies are ſubject to when they ſit long; but I am ſorry they did not paſs the Act of *Indempnity*. The Perſecutions all Parties, at leaſt two conſiderable ones, are expos'd to for the want of it, may be the occaſion of much private conteſtation, and publick trouble, unleſs your Grace has ſome expedient to put inſtead of it, which I have not skill enough to gueſs at; and in this the more ſurpriſing to me, in that the Houſe of Commons there contradicted it, in the behalf of themſelves and the reſt of the *Iriſh*: Your Grace cannot too much provide us with Arguments for the continuance of the Tranſportation of *Iriſh* Cattle hither, beſides the humour that appeared in our Houſe of Commons the laſt Seſſion, Our obſervations out of the Country ſince makes Us diſpair of ſeeing them more moderate. The laſt Victory was this day ſolemniſed, but I cannot with Judgment adviſe your Grace, unleſs you have already given warning for it, to imitate Us therein, becauſe before it can be preſumed, we may poſſibly be expos'd to a new Engagement, wherein it may pleaſe God to make the ſucceſs different; but your Grace may pleaſe to do in it as you ſhall think fit.

I, am &c.

White-

Whitehall 25th Aug. 166[illegible]

My Lord,

MY Intelligencies here in *London* tell me the Diſcontented and Phanatick Party diſpairing of raiſing any troubles here again againſt his Majeſties Government, have fancyed to themſelves that they may attempt the like with more probability of ſucceſs in *Ireland*, ſuppoſing there is more matter to work upon, and accordingly in their diſcourſes have raiſed the old ſaying, *He that will* England *win, with* Ireland *muſt begin*, to this purpoſe I am aſſur'd from ſeveral hands, that *Blood, alias Mene Tekel*, ſo called from the Villainous Book he wrote with that Title, and ſome few others of the ſame Principles are lately gone into that Kingdom, hoping to work effectually their wicked ends upon the new Militia eſpecially. Some of my Informers have offered to go thither and diſcover them to your Grace, towards which I cannot preciſely pitch upon any; and am unwilling to do it, till your Grace diſpairing of doing it better there, ſhall call upon me for it. Amongſt the reſt one of them gave me the incloſed Paper in his own ill hand, which I have cauſed to be tranſcribed, and ſent with this to you, becauſe he pretends he had a great hand in the late Plot there, and knows all the Active Perſons in it, which he believes will be very apt to ſtir again upon any ſuch occaſion; naming the reſt he diſcovered the perſon that told your Grace of the laſt Plot, calling him by his true name, who had not

dealt

dealt ingenuouſly with You, for he had not told you half what he knew, and added that *Blood* ſpeaking lately of him ſaid, we know him to be my Lord *Arlington*'s Intelligencer, but we are ſure he will tell nothing to our diſadvantage, or that may do us harm; it is not many days ſince he was with me, declaring he knew no News, and aſſuring me there was none ſtiring worth our knowledge. I beſeech your Grace let me know by the firſt, whether you will have me to ſend one of theſe Men over for the finding out *Blood* and his Companions.

Since my laſt we heard from our Fleet that the *Dutch* were abroad with theirs, but the Letters from *Holland* this day ſay they are not actually abroad, tho it was verily believed they would be ſo very ſpeedily. 'Tis certain they want Men very much, and that by taking away *Trump*'s Commiſſion, there hath been great murmurings and diviſions among them, but that *Monſieur de Witt* with his Art and Mony would certainly allay them. There are beſides, great diſcontents at the *Hague*, which oblige *De Witt*, at any price and hazard, to ſet that Fleet to Sea again. *Monſieur Buat* hath unhappily brought himſelf upon the Stage, by delivering into *de Witt*'s hand a wrong Paper, which was deſign'd only for his own reading; upon which he was made a cloſe Priſoner, and hath been ſince ſhewn the Rack, and hath named 60 perſons called in your Paper *la bienné Partie*, who are principal Men in the Towns of *Holland*, which 'tis thought will ſecure his Life. The *French* Fleet is arrived at *Rochelle* the 17*th*. *N. S.* Our Fleet is at *Southwpuld* Bay.

I am, &c.

White

White-Hall 28th. *August* 1666.

My Lord,

MY laſt to your Grace went by an Expreſs, becauſe it contained tranſcripts of ſome Papers relating to the Diſcontented Party: There was likewiſe in it a Letter apart to Sir *G. Lane*'s Pretention, and, believing they went as ſafe as the General Packet, I do not make any repetition of them. Since then we have no News at home, neither have the *French* Letters come theſe three *Poſts*, we ſuppoſe they are with-held to keep us from the knowledge of Monſieur *de Beaufort*, who arrived at *Rochel*, *Auguſt* $\frac{2}{7}$ where, according to computation, he is Revictualled by this time. The *Holland* Letters are landed, but not yet come to our hands, they are not likely to tell us more than we know already. Letters from the Fleet of yeſterday aſſure us the *Dutch* Fleet is come out, and was before *Blackenburgh*, four Leagues from the Coaſt, as if they were ſtanding for the Channel; if they continue ſo to do, the Wind being fair for them, we conclude they are going to joyn Monſieur *de Beaufort*. Our Fleet was to ſet ſail this day, and we know nothing yet what contradicts that reſolution; they are ſtronger than ever, and if poſſible, with better hearts to fight. God ſend them good ſucceſs, for, notwithſtanding the conjecture of the intentions to joyn Monſ. *de Beauford* from *Holland*, we are aſſur'd the reſolution

lution of the Enemy is to come ſtrait to fight us: *Un coup des Eſpoir* of Monſieur *de Wit*, who thinks he cannot without it maſter the diſcontents at home, ſeeing his inevitable ruin if he be beaten, and reſolving to caſt his Country under the power of *France*, if it be never ſo little a ſucceſs; he is maſter enough of them to make them take that reſolution: This will ſeem ſtrange to your Grace, but we have the aſſurance of it from good hands.

With this your Grace will receive a Letter from his Majeſty in favour of his Royal Highneſs, reinforcing his former, and recommending his preference in Repriſals in the four Counties, ſince we are advertiſed from thence, that notwithſtanding his Majeſty's expreſs Commands before, Sir *Theophilus Jones* hath gotten a Letter to the ſame effect, which they ſay paſſed thro' many hands, by what ſurprize I cannot imagine.

I am, &c.

White-Hall Sept. 4th. 1666.

My Lord,

I Take this occaſion to write to your Grace the ſaddeſt ſtory that e'er befel a City: *Sunday* at one of the Clock in the morning a fire broke out in *Pudding-Lane*, which being fomented by a violent wind, burnt all ways to

this very hour towards us, into the Body of the City, and towards the *Tower*: We have often offered at Remedies by cutting off ſome part of the Town, but ſtill too late; 'tis now paſt four in the afternoon, and we begin to deſpair of an attempt we were beginning at noon of a Traverſe beyond *Somerſet-Houſe*; Juſt now we are beginning to work at *Scotland-yard*, to ſee whether by pulling down houſes there we can ſave this Palace, I am afraid this attempt will be as unſucceſsful as all the reſt, for the fire is far advanced in *Fleet-ſtreet* already, if the Wind hold, God knows but it may overtake us before night, his Holy Will be done: Notwithſtanding this Submiſſion it becomes us to do the beſt we can towards the preſervation of the Peace of the Kingdom, accordingly his Majeſty aſſures himſelf your Grace will do your utmoſt to do the like in that Kingdom, which is all the advice the hurry we are in will allow us to give you.

We had Letters laſt night from the Fleet from S. *Hellens Point*, where they put in ſomething diſordered by the foul Weather, but not ſo much as we feared; they ſuppoſe the Enemy ſuffer'd much more, whom they purſued as far as they could, but ſheltering themſelves in St. *John*'s Road upon the Coaſt of *France* near *Bullen*, they durſt follow them no farther; both of the Fleets are refitting.

I am, &c.

White-Hall, Septemb. 15*th.* 1666.

My Lord,

I Sent your Grace yeſterday a Letter by Mr. *Archer*, diſpatched expreſly away to adver-tiſe you of Monſieur *de Beaufort*'s being come out of *Rochel*, as far as *Bell Iſle*, where he was on *Sunday* laſt, with a great Fleet of Merchants, Fire-ſhips, and Men of War. When we re-flect upon the hazards he is like to run, both from the Sea, and us at this ſeaſon of the year, we cannot but conclude he muſt have ſome other deſign, and becauſe, that of his invading *Ireland* hath been ſo much talk'd of, we thought the Intelligence worth ſending you by that ſpeed, that your Grace may put your ſelf upon your Guard; and yours of the 4*th.* prepares us to believe you will be able to do it well; if they be not ſecure of ſome very good ſhelter at their Landing, this being an ill time of the year to bring men to Encamp that come from a troubleſome Sea Voyage.

I am now going with my Lord of *Oſſory*, and my Lady, my Wife and their Siſters to *Moor Park*, reſolving to be here again early on *Munday*, that on *Tueſday*, at the opening of the Parliament, I may aſſiſt my Lord *Oſſory* at his coming into the Lords Houſe, whither his Majeſty calls him by Writ. When I ſpoke with his Majeſty this morning concerning

his being called home to *Ireland*, I found him half reſolved to ſtop him, eſpecially when I told him your wants ſeemed to me the only motive to this reſolution, I aſſure your Grace I never heard him ſpeak more kindly of any Man in my life: You would think it a great piece of flattery if I ſhould repeat to you all his Expreſſions of good Will and Eſteem towards you, therefore I forbear them. One thing I beg of you to believe, that thoſe thoughts of his Majeſty ariſe from himſelf, with no concurrence of mine, or my Lord *Oſſory*'s.

I have communicated your Grace's Letter of the 4*th*. with my Lord Chancellor, that he may ſee what you ſay concerning the 3300*l*. ſtopped by Sir *Robert Viner*. His Majeſty bids me tell you he would have you ſuffer Sir *Allen Broderick* to come over, if he asks you leave, for which, if you appoint it, a Letter in Form ſhall be ſent you.

I am, &c.

White-Hall, *Sept*. 25th. 1666.

My Lord,

IN ſuch a conjuncture of affairs as we are in now, your Grace would take it ill of me if I ſhould miſs you one Poſt; wherefore I am careful not to do it, tho' many times it happens, as it does now, I have little to add

add to my laſt. We hourly expect News of Prince *Rupert*'s being with the Fleet in the *Downs*, whereabouts the *Dutch* Fleet was ſaid to be yeſterday, who have the Reputation that the *French* Fleet is joined with them, but we do not believe it. Some few Ships eſcaped when Monſieur *de la Roch* was taken, but the groſs of Monſieur *de Beaufort*'s Fleet, doth not yet appear in any part of our Coaſts, ſo we gueſs the foul Weather drove them at leaſt to *Breſt*, and diſabled them, ſince in all this time we have had no News of them.

Your Grace heard of a Letter the States General wrote to his Majeſty, offering Sir *William Berkley*'s body to the diſpoſal of his Friends, who choſe to have it brought over. In his Majeſty's Anſwer to that Letter there was an inſinuation of his continuing to deſire a Peace. This begot a longer Letter from them, which is rather a Juſtification of themſelves to their own People, than any Overture of a Peace to his Majeſty, to which he hath commanded an Anſwer to be made. By the next Poſt your Grace ſhall receive the States Letter, and his Majeſty's Anſwer.

This day the Accounts of the Money laid out in this War were carried to the Houſe, but not entred upon; moſt of the time being ſpent in diſcourſing whether this unhappy fire in *London* were an effect of chance or deſign; and that your Grace may ſtill know what the Houſe of Commons are entertain'd with, a Journal of the Votes and Reſolutions ſhall conſtantly be ſent with your Letter.

which I ſhall endeavour to obtain of him. According to my skill I have thus given your Grace an Account of this matter, referring you to other Letters that will tell you many more particulars, and witneſſes for my Lord of *Oſſory*, who neither in nor out of the Houſe hath loſt any ground he had in the good opinion of all Men, for what hath paſt in this wrangle.

The Houſe of Commons, upon a Meſſage of his Majeſty to them, have reſolved to ſit *de die in diem*, upon his Majeſty's Supply, till they have agreed upon a way of making it effectual. I pray God they may do it quickly, but the preſent Conſtitution of the Houſe makes us a little doubt it. I ſhould have told your Grace in my laſt, that they had ſent ſome ſevere Votes againſt the Roman Catholicks, which our Houſe have concurred to move his Majeſty in.

I am, &c.

P. S. *I had forgot to tell you that we have but weak hopes of putting a ſtop to the Bill prohibiting the importation of* Iriſh *Cattle, and how amaz'd I was, and ſurpriz'd when I heard my Brother* Carr *brought it into the houſe, but it is done and cannot be helped; I pray God thoſe that humoured it under the pretence of enabling the Country to pay the Taxes, will put themſelves frankly upon them, for as yet we have great cauſe to lament the Houſe of Commons not coming to a reſolution upon what Fund to find money for his Majeſty's preſſing occaſions, which delay hath given our Enemies abroad new hearts.*

White-

very ſufficiently, but by what we can yet gueſs with little probability of ſucceſs, which is an uncomfortable proſpect for all concerned therein, either with relation to his Majeſty's Intereſt, or their own concerns, the Houſe of Lords generally ſeeming as fond of the Bill as that of the Commons was.

Here inclos'd I ſend your Grace what his Majeſty reſolved lately upon the point of Officers preceding in his Troops: I cannot think it fit to move him to give you any rules upon that Subject, till you have told me what you would wiſh were done therein, eſpecially obſerving what he hath reſolved here is not well digeſted by ſome.

I acquainted his Majeſty with the order Captain *Stanley* had from your Grace to bring over the pretended Primate of *Ireland*, who brought him hither laſt week, and hath my Paſs by his Majeſty's command to ſee him on Ship-board.

We attend with impatience the Houſe of Commons making the Summ they have promis'd his Majeſty effective, which I ſee will cauſe ſome time. Our Bill againſt importing *Iriſh* Cattle makes not that Oppoſition we could wiſh.

I will not omit telling your Grace, though you will hear it by other hands, of a trouble befallen my Lord *Oſſory* in our Houſe by my Lord Duke of *Buckingham*'s complaining of him to the Houſe, for Challenging him to the field, upon words he the Duke had uttered in the Houſe; upon which my Lord of *Oſſory* is to be heard on *Munday*, and I doubt not but he will come off well. When he

gerous; his Majeſty bids me notwithſtanding acquaint your Grace with it, and warn you to look well to the North of *Ireland* eſpecially, that your Grace may know as much of the matter as we do, yet I herewith ſend you a Copy of the Letter ſent to Sir *Phil. Muſgrave*, God keep us in Peace at home, and deliver us well from our Wars abroad.

Vale, &c.

White-Hall, *Nov.* 26th. 1666.

My Lord,

IN my laſt I ſent your Grace the Copy of a Letter from *Carliſle*, giving an account of ſome troubles lately happened in *Scotland*, in the Weſt part thereof, the moſt diſaffected to his Majeſty's Government, whereof we have received further Information, repreſenting the diſorder thereof to be greater than they firſt ſhewed them; upon which his Majeſty hath ordered my Lord Commiſſioner to return thither with all poſſible ſpeed, and my Lord *Carliſle* to repair to his Lieutenancy on the Borders, that he may help him with ſome force thence, if the occaſion ſhall require it, of which his Majeſty commands me to advertiſe your Grace again, that you may take care no correſpondence from thence engage the North of *Ireland* in the ſame troubles: We have not ſo much as learnt yet what head the Party in *Scotland* hath, but the Voice runs that they declare for the King and Covenant, and that they rely upon a concurrent Inſurrection

in

n *England* and *Ireland* in their cauſe; If they have no aſſiſtance or encouragement by Money and Arms from abroad, we may fairly hope their cauſe will not be long liv'd, and that their opening themſelves ſo frankly in the beginning, will give his Majeſty an happy opportunity of preventing the execution of their ill intentions in the future, ſince they have ſo abuſed his former indulgence towards them.

Your Grace will hear from your other Correſpondents with how many Voices the *Iriſh* Cattle Bill hath paſſed the Houſe of Lords, which is on *Monday* next to be ſent back to the Houſe of Commons with their Lordſhips amendments.

I am, &c.

P. S. *Since I wrote this I have information that the Council of* Scotland *have ſent* 2000 *Foot and* 500 *Horſe to quell the Rebels, expecting a Conjunction of more forces from the Duke* Hamilton, *My Lords* Anandil, Dumlarick *and others, aſſuring us they would be able to Maſter them preſently, upon all theſe advices his Majeſty bids me remember your Grace to look well to the North of* Ireland, *that the Rebells do not by their correſpondence, give any trouble there. Sir* H. Pollard *is dead, and Sir* Tho. Clifford *ſucceeds him, for whoſe obſervance and reſpects to your Grace, my Lord* Oxford *and my ſelf will be cautious.*

White-Hall. Dec. 1ſt. 1666.

My Lord,

SInce my laſt my Lord of *Lauderdail* hath received two Expreſſes from *Scotland*, the effect

ſult of which were, that his Majeſty's Forces [illegible] Gen. Dal were preparing themſelves to attack the Enemy, and doubted not of being quickly Maſters of them.

Yeſterday we had ill News from the *Barbadoes*, which your Grace will read in the incloſed Letter, I likewiſe ſend your Grace the States Letter to his Majeſty, which they made ſuch haſte to Print, that it hath out-liv'd the Original.

Colonel *Vernon* will give your Grace an Account of the proceeding upon the Commiſſion iſſued here at the Inſtance of Mr. *B*— for examining of Witneſſes, which my Lord Chancellor told me ſhould be ſent inform, tho' yet I do not hear that it is ready, nor that *B*— hath produced any thing to advantage much his Pretenſion.

I am, &c.

White-Hall 4th. *Dec.* 66.

My Lord,

YEſterday Morning his Majeſty received a particular Account from *Scotland* of his Forces having beaten and routed the *Rebells* near *Edenburgh*, killing and taking near 500 of them, their Chief alſo ſlain in the Action, the Sum of which will come to your hands by the incloſed. His Majeſty bids me tell your Grace he hath written into *Scotland* to have ſevere puniſhment inflicted upon the Offenders, and ſtrict inquiry to be made into the contrivance of their deſign, and the Correſpondence they might have had with other parts, and accordingly recommends to your Grace the having ſpecial care taken to ſeiſe

ſeiſe all perſons that may have fled from their Party into *Ireland*, or held Correſpondence with them.

The Letters from *France* this Day ſay, the *Spaniards* have made themſelves Maſters of the *Cazal* which may poſſibly, if true, occaſion a breach betwixt the Crowns. The D. of *Valois* eldeſt Son to Monſieur is dangerouſly ill.

White-Hall, 8th. *Dec.* 1666.

My Lord,

I Have received ſeveral of your Grace's, recommending particular Letters to be ſigned by his Majeſty, which ſhall be diſpatched by the next, and particularly that relating to your own concerns. I have likewiſe your Grace's of the 26*th* paſt by Sir *Nicholas Armorer*, the contents of which I have not yet had an opportunity to communicate to his Majeſty, the Letter coming but late to my hands laſt night.

We are troubled at a Proviſo brought into the Houſe of Commons yeſterday, at the reading of the Poll Bill, carried for a Commitment by 36 Voices, impoſing an account to be made by four Commiſſioners of the Houſe, for all Moneys received ſince the beginning of the War, upon the two Royal Aids, Money ariſing by Prizes, the three Months Aſſeſſment upon the Militia Bill, *&c.* which expreſſeth a manifeſt diſtruſt of the management thereof; and hath ſurprized us to obſerve the plurality of Voices concurring in it; by the next I ſhall be able to tell your Grace the ſucceſs of it, upon the report from the Committee, which

is

is of the whole Houſe; it falls unhappily out that at this time eſpecially, our Enemies abroad as well as thoſe at home ſhould have cauſe to complain there is ſuch a difference and diſſention amongſt us.

I ſee no ground in our freſh Letters from abroad to confirm the Report of the *Spaniards* having ſeiſed *Cazal*; nor of the Reports confidently ſpread ſince of any Ryots in *Holland*, or attempts upon *De Witt*'s Perſon, it is certain they are heartily weary of the War, and the Generality of them wiſh a Peace, as warmly as we do: but the Governing Party being intirely influenced and directed by *France*, they will not ſuffer it to make Peace.

In my Letter of this Day Seven-night your Grace received the States Letter to his Majeſty, the written original of which was delivered him by the *Swediſh* Ambaſſadors accompanyed with thoſe two Letters, the one from Monſieur *De Wit*, the other from the *Swediſh* Reſident at the *Hague* to the Ambaſſadors, here, to which Reſident *DeWitt*'s Letter was writ, I ſend them to your Grace for the ſatisfaction of your curioſity only, not having made them publick there; In a word, you ſee nothing but the agreement of a Neutral Place to treat in will pleaſe our Enemies abroad, and God knows what event ſuch a Treaty would have, if his Majeſty ſhould conſent to that condition, which yet he doth not.

In the mean time the delay of the Money promiſed his Majeſty caſt us much behind hand in our Preparations towards next Summers War. God be thanked we hear no ill News from *Scotland*, which I hope will make us hap-

py

py as to prevent all ſuch accidents in the reſt of his Majeſty's Dominions. *I am*, &c.

White-Hall, 15*th Dec.* 1666.

My Lord,

BEſides recommendatory Letters, which ſhall be all complyed with in their turns, I have three of your Grace's to acknowledge of *Nov.* 24*th.* 26*th.* and *Dec.* 1*ſt.* The firſt of your Grace's recommended a Warrant of your own, enabling you to make ſome preſent benefit of the 50000 *l.* given you by the Act of Settlement, which accordingly I prevailed with his Majeſty to ſign, anſwering to the Quere out of your Grace's Letter, that it was no prejudice to the like Sum granted to him, but purſuant to the Act, as your Letter to me intimated; but his Majeſty commanded me to conſult my Lord *Angleſey* in it, we both reſorted to the Act, and found there his Majeſty's Sum to be raiſed firſt, the 49 Officers next, and your Grace's in the third place; reporting which back to his Majeſty, he bad me detain your Warrant in my hands, till I had certified you ſo much; this being the condition of this Affair, I muſt beg of your Grace to ſend me your ſecond thoughts upon it, aſſuring your ſelf of a great diſpoſition in his Majeſty to oblige you, and the ſame in me to be ſerviceable to the eaſe of your domeſtick Affairs. The Second Letter contained an Advice from *Paris* of deſigns laid there to give you trouble in *Ireland*, and confirm'd by ſome advices within the Kingdom, all which agree with ſeveral Advertiſments we have had all this year from

abroad, and with one my Lord *Sandwich* gave me in his laſt Letter from *Spain*. In the mean time his Majeſty adviſes you to cultivate your Correſpondence from *Paris*, as I ſhall likewiſe do from hence, if I can perſwade him with his ſecurity. As for Mr. *Digby* his Majeſty made no ſcruple of recommending to you the laying him faſt there, till he gives you a good account of his buſineſs into that Kingdom.

The Third was a recommendatory Letter of a Warrant to be ſigned by his Majeſty, impowering your Grace, and the Council there to remit or mitigate Fines and Penalties upon an Act of Parliament, concerning the Manufacture of Linnen Cloth. Here incloſed your Grace receives the examination of a *French* Man we took here, a Companion to two others of the ſame Nation gone lately into *Ireland*, and followed thither by a Perſon that inform'd they went upon ſome dangerous deſign. Theſe Examinations may perhaps be of uſe upon the Examination of the others when taken, tho' the perſon taken here appears not more Guilty, than that upon time given him to recollect himſelf of ſome paſſages; for which reaſon, and the ſuſpicion given us of his Companions, he is ſent to the Tower.

Both Houſes are adjourned till this Day ſeven night without finiſhing, ſo compleatly as we wiſh the two Bills for his Majeſties ſupply. The Poll Bill required ſome amendments in our Houſe, which are not yet ready to be carried to a conference; that of the Monthly Tax is in effect ready. When we meet again we are like to enter into many Conferences upon the word Nuiſance in the *Iriſh* Bill, upon the Canary Company, and upon the Bill of Accounts, as alſo upon the Impeachment of my L. *Mordaunt*. *White-*

White-Hall, May 15. 66.

My Lord,

BY an expreſs from the Sea ſide, ſent hence on *Sunday* Night, I gave your Grace an account of an Advice given us by a *Flemiſh* Seaman arriving at St. *Michaels* Mount in *Cornwal*, that coming lately from *Congues*, he was told that there was lodging in the Villages there abouts an Army of 40000 Men, to be tranſported into *Ireland*, and that being at *Breſt*, where Monſieur *De Beaufort* was, he ſaw 24 of his beſt Ships ready to make Sail, with their Sails to the Yards, which Fleet he was told was ready to tranſport the ſaid Army. Our Letters from *Flanders* and *Holland* confirm the ſame reports, but confuſedly enough, and add that 24 ſmaller Frigats from thence were gone out of the Ports, ſteering towards the Channel to joyn with *Monſieur De Beaufort*. His Majeſty hath thought to ſend part of his Troops to lye on the Weſtern Coaſt, not knowing but upon rumours of diſcontent here in *England*, the Enemy may be encouraged to attempt upon the main Land: He hath likewiſe given order for the making ready as many good Ships, as can poſſibly be gotten together; and we diſpair not but in ſome few Days we may aſſemble at leaſt thirty conſiderable ones, to attend the motion of the Enemies Fleet. In the mean time his Majeſty recommends to your Grace to put that Kingdom in the beſt Poſture you can, to reſiſt the Invaſion if it be attempted upon you, promiſing all poſſible aſſiſtance from

hence to ſupport you therein. I ſhall make it my care to ſend your Grace all ſeaſonable Advertiſements.

I am, &c.

White-Hall, 19th. January, 67.

My Lord,

I Suppoſe all your Grace's Letters by the Poſt tell you how long we have been without any from you, which we impute only to the contrary Weather; for tho' our Intelligence tells us the Preparations at *Breſt* go on as if they had ſome deſign this Winter, yet they cannot be ready ſo as to have moleſted you, and among the gueſſes now of their Purpoſe, there is one more added, that they have ſome deſign upon our Plantations in the *Weſt-Indies*. In the mean time we have given you a blow here, which you will be very ſenſible of; for the Iriſh Bill with the Poll Bill was yeſterday paſſed by his Majeſty, at which time he made the incloſed Speech.

The Nation, as well as both Houſes of Parliament, have ſo poyſoned themſelves with the Opinion of Advantages they ſhall have by the ſtop of Iriſh Cattle, that, without the hazard of a Rebellion, his Majeſty could not deny it, neither could he take out the Word Nuiſance without hazarding his ſo much valued Bill.

I am, &c.

White-

White-hall, 18*th. Febr.* 1667.

My Lord,

YEſterday brought me your Grace's of the 29*th.* paſt, and 11*th.* Current, with ſeveral draughts of Letters to be ſign'd by his Majeſty, for which I will prepare the beſt diſpatch I can, eſpecially that concerning the Coin with the Secrecy you deſire: I have likewiſe in my hands for a fit opportunity to have it read, your Grace's and the Councils Letter of the 9*th.* which his Majeſty hath commanded me to keep in my hands, to be ſeen with a Paper my Lords *Burlington*, *Angleſey* and *Conway* preſented lately to him for the benefit of that Kingdom, purſuant to the former directions from your Grace and the Council there.

I do agree intirely with your Grace in the opinion, that, unleſs his Majeſty pleaſes to do ſome thing from himſelf favourably for that Kingdom, it runs the hazard of being loſt ſeveral ways; if my ſmall Vote or Applications can effect any thing for its eaſe, your Grace may be aſſured many reaſons will oblige me beyond my own particular ones, to imploy them as induſtriouſly as I can.

Mr. *Leigh* hath charged himſelf with ſending your Grace by this Poſt his Majeſty's Letter for the 50000 *l.* altered as it was by my Lord *Angleſey*, and with an Additional Clauſe in favour of my 10000 *l.* which I humbly recommend to your Grace's Protection, without which I cannot promiſe my ſelf much ſucceſs in it; and, ſince it hath had the good luck to creep into the Letter, to let the ſame Negotiator you employ deal

deal for it, for whoſe pains I would be content to pay well.

We cannot yet poſſibly gueſs what Anſwer the States will make to his Majeſty's Letter; there muſt of neceſſity be time given them to conſult their own Provinces, as well as *France* and *Denmark*.

We hear the offer pleaſeth the People ſufficiently, but not their Leaders, and we muſt not wonder at it, for here at home it is diverſly cenſured, and yet methinks that which his Enemies doubt ſo much to take, ſhould not be thought too much for his Majeſty to give.

I am, &c.

White-hall, 23d. March, 1667.

My Lord,

THis day we have received your Grace's of the 27*th*. paſt, and 1*ſt*. Current; as ſoon as there is time for it, your Grace ſhall have the Letters return'd you, which now come ſigned by his Majeſty.

Here incloſ'd goes his Majeſty's ——— to recompence the damage that Kingdom hath ſuſtain'd by paſſing of the Cattle Bill, which I do not hear any body ask his Majeſty to ſupport by any Act from him; but, if the tricks goes forward of bringing of Cattle over, as I hear it hitherto ſucceeds, the Clamour will be doubled upon us when they do effectually ſo; and yet his Majeſty gratifies the Kingdom as if they did not, and becauſe the malitious Reflections which will be made thereupon, will inevitably touch your Grace, I thought it my duty to ſuggeſt to your Grace

Grace this hint for the better Conſiderations thereupon.

Here inclos'd is a Letter from his Majeſty to the *States*: This Evening my Ld. *Arran* brought me your Grace's of the 16*th*. of which I ſhall give you an account when I have acquainted his Majeſty with the Contents of it.

I am, &c.

White-hall, 2d. *Auguſt*, 1667.

My Lord,

I Was yeſterday at *Moor Park*, and would willingly have ſpent ſome days there if my buſineſs would have given me leave. My Lord *Offory* having leſs to do, deſigns to continue there four days.

I ſend this by an Expreſs, according to his Majeſty's command to advertiſe your Grace, that the Letters we receiv'd this day from *Plymouth*, tell us *de Ruyter* lies with his great Squadron, Careening and Fitting his Ships for ſome further Voyage or Exploit upon us, which he will have time to execute before the Peace can take Place, & which, by our Computations, cannot be ſooner than the end of this Month; and becauſe it appears moſt likely to us, that he may attempt the retaking our Prizes, and doing us ſome further miſchief at *Kingſale*; his Majeſty commands that your Grace immediately give notice thereof, that the entrance into the River be well guarded and ſecured, and as many of the Ships as lie in open harbour, reſort thither, eſpecially the Prize Ships, which, if they cannot come to *Kingſale*, at leaſt they will do well

to

to unlade their goods where they lie, and [illegible] them under Land Security; and that if it [illegible] poſſible, Ketches or Galliots be ſent out to [illegible] the *Barbadoes* Fleet expected home: at this ſeaſ[illegible] of the danger they may run by *de Ruyter*'s Squ[illegible] dron. *I am*, &c.

White-hall, 24th. *Aug.* 1667.

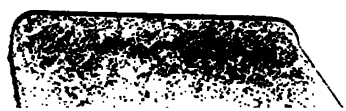
My Lord,

I Am to acknowledge your Grace's of the 16*th*. Written as you were taking Coach for *Kilkenny*, whither I ſend you the good News of the Proclamation of the Peace, and his Majeſty's Orders to you to publiſh it in the uſual manner in that Kingdom. Your Grace will likewiſe be pleas'd to make it your care, to let any part of the *Dutch* or *French* Fleet that ſhall appear near the Coaſts, know the certainty of the Peace, and the time in which it takes place, it being very poſſible that the ſame contrary Winds which detained our *Dutch* Letters ſo long, may likewiſe have kept their Intelligence from them.

I have nothing to add, but the wiſhing your Grace a full ſhare of the Proſperity the Peace will give, and am with all Truth and Reſpect,

My Lord,
Your Grace's moſt obedient
humble Servant,

Arlington.

FINIS.

NOV